



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 2] नई दिल्ली, शनिवार, जनवरी 13, 1973/पौष 23, 1894
No. 2] NEW DELHI, SATURDAY, JANUARY 13, 1973/PAUSA 23, 1894

इस भाग में चिन्न पृष्ठ संख्या दी जाती है जिससे कि यह दस्तावेज संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गये विधिक आदेश और अधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) by Central Authorities (other than the Administration of Union Territories)

मंत्रिमंडल सचिवालय
(कार्मिक विभाग)

नई दिल्ली, 5 जनवरी, 1973

का. आ. 83.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक, और अनुच्छेद 148 के खण्ड (5) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, और भारत के नियंत्रक और महालेखापरीक्षक से, जहां तक भारतीय संपरीक्षा और लेखा विभाग में सेवा करने वाले व्यक्तियों से संबंध है, परामर्श करके, केन्द्रीय सिविल सेवा (आवरण) नियम, 1964 में और संशोधन करने के लिए एतद्द्वारा निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ :—

- (1) इन नियमों का नाम केन्द्रीय सिविल सेवा (आवरण) संशोधन नियम, 1973 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. नियम 18 का संशोधन :— केन्द्रीय सिविल सेवा (आवरण) नियम, 1964 में (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) नियम 18 में :—

- (1) स्पष्टीकरण के स्पष्टीकरण 1 के रूप में पुनः संख्याकृत किया जाएगा और इस प्रकार पुनः संख्याकृत स्पष्टीकरण 1 में, खण्ड (1) के उपखण्ड (घ) में, और रीढ़ियोंग्रामों

शब्दों के स्थान पर "रीढ़ियोंग्रामों और टेलीविजन सेटों" शब्द रखे जाएंगे,

- (2) इस प्रकार पुनः संख्याकृत स्पष्टीकरण 1 के पश्चात् निम्नलिखित स्पष्टीकरण अन्तः स्थापित किया जाएगा, अर्थात् :—

स्पष्टीकरण 2 :— इस नियम के प्रयोजनों के लिए, "पट्टा" से वहाँ के सिवाय जहाँ वह ऐसे व्यक्ति से जिसका सरकारी सेवक से पदीय व्यवहार है, अभिप्राय किया जाता है या को अनुवृत्त किया जाता है, स्थावर सम्पत्ति का वर्षानुवर्षी या एक वर्ष से अधिक की किसी अवधि के लिए या वार्षिक भाटक नियत करने वाला पट्टा अभिप्रेत है।

3. नए नियम 18 का अन्तः स्थापन :— उक्त नियम के नियम 18 के पश्चात् निम्नलिखित नियम अन्तः स्थापित किया जाएगा, अर्थात् :—

"18क. भारत से बाहर स्थावर सम्पत्ति के अर्जन और व्यय के संबंध में निर्बन्धन और विधिशिथों के साथ संबंध, आदि :—

नियम 18 के उपनियम (2) अन्तर्निहित किसी बात के होते हुए भी, कोई भी सरकारी सेवक, विहित प्राधिकारी की पूर्व मंजूरी के सिवाय :—

- (क) भारत के बाहर स्थित किसी स्थावर सम्पत्ति का या तो स्वयं अपने नाम में या अपने कटुम्ब के किसी

सदस्य के नाम में कय, बंधक, पट्टा, दान द्वारा या अन्यथा, अर्जन ;

(ख) भारत के बाहर स्थित ऐसी किसी स्थावर सम्पत्ति का, जो या तो स्वयं अपने नाम में या अपने कट्टम्ब के किसी सदस्य के नाम में अर्जित की गयी थी या उसके द्वारा धारित है, विक्रय, बंधक, दान द्वारा या अन्यथा व्ययन या उसकी बाबत कोई पट्टा अनुदत्त ;

(ग) किसी विदेशी, विदेशी सरकार, विदेशी संगठन या समुत्थान के साथ, :-

- (1) या तो स्वयं अपने नाम में या अपने कट्टम्ब के किसी सदस्य के नाम में कय, बंधक, पट्टा, दान द्वारा या अन्यथा किसी स्थावर सम्पत्ति के अर्जन के लिए,
- (2) ऐसी किसी स्थावर सम्पत्ति का, जो या तो स्वयं अपने नाम में या अपने कट्टम्ब के किसी सदस्य के नाम में अर्जित की गई थी या उसके द्वारा धारित है, विक्रय बंधक, दान द्वारा या अन्यथा व्ययन या उसकी बाबत कोई पट्टा अनुदत्त करने के लिए, कोई संव्यवहार, नहीं करेगा।

स्पष्टीकरण :— इस नियम में, “विहित प्राधिकारी” का वही अर्थ है, जो नियम 18 में है।

[सं. 25/57/64-स्था.(ए)]

पी. एस. वेंकटेश्वरन, अवर सचिव

CABINET SECRETARIAT (Department of Personnel)

New Delhi, the 5th January, 1973

S.O. 83.—In exercise of the powers conferred by the proviso to article 309, and clause (5) of article 148, of the Constitution, and in consultation with the Comptroller and Auditor-General of India in so far as the persons serving in the Indian Audit and Accounts Department are concerned, the President hereby makes the following rules further to amend the Central Civil Services (Conduct) Rules, 1964, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Central Civil Services (Conduct) Amendment Rules, 1973.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Amendment to rule 18.**—In the Central Civil Services (Conduct) Rules, 1964 (hereinafter referred to as the said Rules), in rule 18,—

- (i) the Explanation shall be re-numbered as Explanation, I and in Explanation I, as so re-numbered, in sub-clause (d) of clause (1), for the words “and radiograms”, the words “radiograms and television sets” shall be substituted;

- (ii) after Explanation I, as so re-numbered, the following Explanation shall be inserted namely:—

‘Explanation II.—For the purposes of this rule, “lease” means, except where it is obtained from, or granted to, a person having official dealings with the Government servant, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.’

3. **Insertion of new rule 18A.**—After rule 18 of the said Rules, the following rule shall be inserted, namely:—

“18A. Restrictions in relation to acquisition and disposal of immovable property outside India and

transactions with foreigners, etc.—Notwithstanding anything contained in sub-rule (2) of rule 18, no Government servant shall, except with the previous sanction of the prescribed authority,—

- (a) acquire, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situate outside India;
- (b) dispose of, by sale, mortgage, gift or otherwise, or grant any lease in respect of, any immovable property situate outside India which was acquired or is held by him either in his own name or in the name of any member of his family;
- (c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern,—
 - (i) for the acquisition, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, of any immovable property.
 - (ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

Explanation.—In this rule, “prescribed authority” has the same meaning as in rule 18.”

[No. 25/57/64-Ests(A)]

P. S. VENKATESWARAN, Under Secy.

नई दिल्ली, 6 जनवरी, 1973

का० प्रा० 84:—वण्ड प्रक्रिया संहिता, 1898 (1898 का 5) कि धारा 492 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, आंध्र प्रदेश हाई कोर्ट, हैदराबाद के एडवोकेट श्री डी० सत्यनारायण को, श्री ए० के० के० नामबियर, भूतपूर्व महानिरीक्षक-पुलिस, आंध्र प्रदेश तथा अन्य के विरुद्ध मुकदमा भार० सी० न० 10/67-एस० पी० ई० सी० आई ए०-II से उद्भूत निम्नलिखित वादों जो उनके सामने लिखे न्यायालय में अर्पित पड़े हैं, की पैरवी करने के लिए एतद्वारा विशेष लोक-अभियोजक नियुक्त करती है:—

क्रम	न्यायालय वाद संख्या	न्यायालय का नाम
संख्या		
1.	न्यायालय वाद संख्या 36 और 37/71	विशेष पुलिस स्थापना और भ्रष्टाचार-निरोध अफ़सरी के वादों के विशेष-जज, हैदराबाद की फाइल पर।
2.	न्यायालय वाद संख्या 10/72	विशेष पुलिस स्थापना के वादों के विशेष-मजिस्ट्रेट, हैदराबाद की फाइल पर।
3.	विशेष पुलिस स्थापना के वादों के विशेष-मजिस्ट्रेट, हैदराबाद द्वारा पी० भार० सी० संख्या 9/71 में दिए गए डिस्चार्ज-आदेश के विरुद्ध विशेष पुलिस स्थापना द्वारा वायर की गई कोमिनल रिबीजन पेटिशन।	सेशन न्यायालय, हैदराबाद (पीप-जज, सिटी सिविल कोर्ट, हैदराबाद) की फाइल पर।

[सं० 225/74/72-ए०बी०सी० 2]

डी० श्री० बनजारी, अवर सचिव

New Delhi, the 6th January, 1973

S.O. 84.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (5 of 1898), the Central Government hereby appoints Shri D. Satyanarayana, Advocate, Andhra Pradesh High Court, Hyderabad, as Special Public Prosecutor for conducting the prosecution of the cases mentioned below, arising out of R. C. No. 10/67-SPE/CIA-II against Shri A.K.K. Nambiar, formerly Inspector General of Police, Andhra Pradesh and others, pending in the courts as shown against each :—

Sl.	Court case No.	Name of the Court.
1.	C. C. Nos 36 and 37/71	On the file of the Special Judge for the Special Police Establishment & Anti-Corruption Bureau cases Hyderabad.
2.	C. C. No. 10/72	On the file of the Special Magistrate for Special Police Establishment Hyderabad.
3.	Criminal Revision petition filed by the Special Police Establishment against the order of discharge passed in PRC No. 9/71 by the Special Magistrate for the Special Police Establishment, cases, Hyderabad.	On the file of the Sessions Court, Hyderabad (Chief Judge, City Civil Court, Hyderabad).

[No. 225/74/72-AVD. II]

B. C. VANJANI, Under Secy.

भारत निर्वाचन आयोग

नई दिल्ली, 8 दिसम्बर, 1972

आदेश

का. आ. 85.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1971 को हुए तमिलनाडु विधान सभा के लिए निर्वाचन के लिए 194 तिरुवाडानाई निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री एम. सोमासुन्दरम, थिडाकट्टाई पास्ट, वंवाकट्टाई रोड (श्री), जिला रामानोथापुरम (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उस के पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री एम. सोमासुन्दरम को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. त. ना.वि. स./194/71(31)]

ELECTION COMMISSION OF INDIA

New Delhi, the 8th December, 1972

ORDER

S.O. 85.—Whereas the Election Commission is satisfied that Shri M. Somasundaram, Thidakottai P. O., Devakottai Road (Sry) Ramanathapuram District, (Tamil Nadu), a contesting candidate for election to the Tamil Nadu Legislative Assembly from 194-Tiruvadanai constituency, held in March, 1971 has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

AND WHEREAS, the said candidate even after the due notice has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for the failure;

NOW, THEREFORE, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri M. Somasundaram to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN/LA/194/71(31)]

नई दिल्ली, 14 दिसम्बर, 1972

आदेश

का. आ. 86.—यतः, निर्वाचन आयोग का समाधान हो गया है कि लोक सभा के लिए निर्वाचन के लिए 38-गोरखपुर संसदीय निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री अशरफ सुपुत्र श्री अनिस, मोहल्ला इस्लामपुर, गोरखपुर, उत्तर प्रदेश लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं।

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उस के पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री अशरफ को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. उ. प्र.-लो. स./38/71(30)]

New Delhi, 14th December, 1972

ORDER

S.O. 86.—Whereas the Election Commission is satisfied that Shri Ashraf, S/o Shri Anis, Mohalla Ismailpur, Gorakhpur, Uttar Pradesh, a contesting candidate for election to the House of the People from 38-Gorakhpur Parliamentary Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

2. And whereas, the said candidate even after due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ashraf to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. UP-HP/38/71 (30)]

आदेश

का. आ. 87.—यतः, निर्वाचन आयोग का समाधान हो गया है कि लोक सभा के लिए निर्वाचन के लिए 38-गोरखपुर संसदीय निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री पलटू सुपुत्र श्री बुधिराम, गांव बहाकपुर बृहमपुर, जिला गोरखपुर, उत्तर प्रदेश, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उस के पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री पलटू को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. उ. प्र.लॉ. स./38/71(21)]

ORDER

S.O. 87.—Whereas the Election Commission is satisfied that Shri Paltoo, S/o Shri Budhiram, Village and Post Office Bahrampur, District Gorakhpur, Uttar Pradesh, a contesting candidate for election to the House of the People from 38-Gorakhpur Parliamentary Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

2. And whereas, the said candidate even after due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Paltoo to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order

[No. UP-HP/38/71 (31)]

नई दिल्ली, 20 दिसम्बर, 1972

आदेश

का. आ. 88.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 को हुए पश्चिमी बंगाल विधान सभा के निर्वाचन के लिए 182-खानाकुल (अजा) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री बिस्तुपादा राय, ग्राम ब पो. नन्दनपुर, जिला हुगली, पश्चिमी बंगाल लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना किये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह समाधान हो गया है कि उस के पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री बिस्तुपादा राय को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. प. बं. वि. स./182/71(13)]

ए. एन. सन, सचिव.

ORDER

New Delhi, the 20th December, 1972

S.O. 88.—Whereas the Election Commission is satisfied that Shri Bistu Pada Roy, Village & P. O. Nandanpur, District Hooghly, West Bengal, a contesting candidate for election to the West Bengal Legislative Assembly from 182-Khanakul (SC) constituency, held in March, 1971 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

AND WHEREAS, the said candidate even after the due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure.

NOW, THEREFORE, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bistu Pada Roy to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/182/71(13)]

A. N. SEN, Secy.

नई दिल्ली, 20 दिसम्बर, 1972

आदेश

का. आ. 89.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए आन्ध्र प्रदेश विधान सभा के निर्वाचन के लिए 62-भीमावरम निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री सनकारा वीरास्वामी, भीमावरम जिला वेंस्ट गोदावरी (आन्ध्र प्रदेश) लोक प्रतिनिधित्व अधिनियम 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना किये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री सनकारा वीरास्वामी को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. आ. प्र. वि. स./62/72]

New Delhi, the 20th December, 1972.

ORDER

S.O. 89.—Whereas the Election Commission is satisfied that Shri Sunkara Veeraswamy, Bhimavaram, West Godavari District (Andhra Pradesh) a contesting candidate for general election to the Andhra Pradesh Legislative Assembly held in March, 1972 from 62. Bhimavaram constituency, has failed to lodge the account of his election expenses in the manner required by the Representation of the People Act 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sunkara Veeraswamy to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of the order.

[No. AP-LA/62/72]

आदेश

का. आ. 90.—यत्तः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए आन्ध्र प्रदेश विधान सभा के निर्वाचन के 175-अलुर (अजा) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री बी. क्रिस्तप्पा, बेलडोना पोस्ट, अलुर तालुक (आ. प्र.) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपीक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यत्तः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री बी. क्रिस्तप्पा को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित घोषित करता है।

[सं. आ. प्र.-वि. स./175/72]

ORDER

S.O. 90.—Whereas the Election Commission is satisfied that Shri B. Kristappa, Beldona Post, Alur Taluk (Andhra Pradesh), a contesting candidate for general election to the Andhra Pradesh Legislative Assembly held in March 1972 from 175. Alur (SC) constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri B. Kristappa to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-LA/175/72]

नई दिल्ली, 21 दिसम्बर, 1972

आदेश

का. आ. 91.—यत्तः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए आन्ध्र प्रदेश विधान सभा के निर्वाचन के लिए 171-सिधानामाला निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री वेंकटारमन राव, लैंड लार्ड, पामिदि, जिला अनन्तपुर लोकप्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा

अपीक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं।

और, यत्तः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री वेंकटारमन राव को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित घोषित करता है।

[सं. आ. प्र.-वि. स./171/72]

आदेश से,

बी. एन. भारद्वाज, सचिव

New Delhi, the 21st December, 1972

ORDER

S.O. 91.—Whereas the Election Commission is satisfied that Shri Venkataramana Rao, Land Lord, Pamidi, District Anantapur, a contesting candidate for general election to the Andhra Pradesh Legislative Assembly held in March, 1972 from 171. Singanamala constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Venkataramana Rao to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-LA/171/72]

By Order,

B. N. BHARDWAJ, Secy.

विधि तथा न्याय मंत्रालय

(न्याय विभाग)

नई दिल्ली, 5 जनवरी, 1972

नोटिस

का. आ. 92.—इसके द्वारा, लेख्य प्रमाणक नियम (नोटरीज रूलस), 1956 के नियम 6 के अनुसार, सक्षम प्राधिकारी द्वारा सूचना दी जाती है कि उक्त प्राधिकारी को श्री एच. बी. सिंह एडवोकेट, ए. 1/4, कृष्णनगर, दिल्ली-5 ने उक्त नियमों के नियम 4 के अधीन, कृष्णनगर, गांधीनगर, आजगु नगर, रामनगर तथा शाहपुरा क्षेत्र दिल्ली में लेख्य प्रमाणक (नोटरी) का काम करने की नियुक्ति के लिए आवेदन-पत्र भेजा है।

उक्त व्यक्ति की लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियाँ हों तो वे इस नोटिस के प्रकाशित होने के चौदह दिन के अन्दर नीचे हस्ताक्षर करने वाले को लिख कर भेज दिये जायें।

[संख्या 22/20/72-न्यायिक]

के. त्यागराजन, सक्षम प्राधिकारी
तथा उप-सचिव।

MINISTRY OF LAW AND JUSTICE

(Department of Justice)

New Delhi, the 5th January, 1973

NOTICE

S.O. 92.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri H. B. Singh, Advocate A. 1/4, Krishna Nagar, Delhi-5 for appointment as a Notary to practise in Krishan Nagar, Gandhi Nagar, Azad Nagar, Ram Nagar and Shahdara areas of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. 22/20/72-Jus.]

K. THYAGARAIAN, Competent Authority and Dy. Secy.

वित्त मंत्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली, 13 जनवरी, 1973

सीमाशुल्क

का. आ. 93.—सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के वित्त मंत्रालय (राजस्व विभाग) की अधिसूचना सं. 91-सीमाशुल्क, तारीख 1 मार्च, 1963 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना के नीचे की सारणी में, स्तंभ (1) में "सीमाशुल्क अपील कलक्टर, कलकत्ता" प्रविष्टि के स्तंभ (2) में की प्रविष्टि के स्थान पर, निम्नलिखित रखी जायेगी, अर्थात् :—

"पश्चिमी बंगाल, असम, मेघालय, मणिपुर, त्रिपुरा, बिहार और उड़ीसा राज्य तथा अरुणाचल प्रदेश, मिजोरम और अंडमान और निकोबार द्वीपसमूह संघ राज्यक्षेत्र।"

[सं. 6/फा. सं. 437/6/72-सीमाशुल्क-4]

एस. नारयणन, उप-सचिव

MINISTRY OF FINANCE

(Department of Revenue & Insurance)

New Delhi, the 13th January, 1973

CUSTOMS

S.O. 93.—In exercise of the powers conferred by sub-section (1) of section 4 of the Customs Act, 1962 (52 of 1962), the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 91-Customs, dated the 1st March, 1963, namely:—

In the Table below the said notification, for the entry in column (2) corresponding to the entry "Appellate Collector of Customs, Calcutta" in column (1), the following entry shall be substituted, namely:—

"The States of West Bengal, Assam, Meghalaya, Manipur Tripura, Bihar and Orissa and the Union territories of Arunachal Pradesh, Mizoram and the Andaman and Nicobar Islands."

[No. 6/F.No. 437/6/72-Cus. IV]

S. NARAYANAN, Dy. Secy.

(आर्थिक कार्य विभाग)

नई दिल्ली, 8 जनवरी, 1973

का. आ. 94.—विनांक 28 जून 1972 के वित्त आयोग के गठन के सम्बन्ध में राष्ट्रपति के आदेश (जो 28 जून 1972 के भारत सरकार के वित्त मंत्रालय के आर्थिक कार्य विभाग की अधिसूचना संख्या 447 (इ) के साथ प्रकाशित किया गया था) के पैराग्राफ 3 के अनुसार केन्द्रीय सरकार एतद्वारा निर्दिष्ट करती है कि वित्त आयोग के सदस्य डा. आर्च. एस. गुलाटी 31 दिसम्बर 1972 तक, जिस में यह तारीख भी शामिल है, आयोग के अंशकालिक सदस्य के रूप में कार्य करेंगे। वे पहली जनवरी, 1973 को और इस तारीख से आयोग के पूर्णकालिक सदस्य के रूप में कार्य करेंगे।

[सं. 13(1) बी/72]

बी. माथुरायन, संयुक्त सचिव

(Department of Economic Affairs)

New Delhi, 8th January, 1973

S.O. 94.—In pursuance of paragraph 3 of the order of the President dated the 28th June, 1972 constituting a Finance Commission (published with the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs, No.447(E), dated the 28th June, 1972), the Central Government hereby specifies the 31st December, 1972, as the date up to and inclusive of which Dr. I. S. Gulati shall render part-time service as Member of the Commission. He shall render whole time service as Member of the Commission on and from the 1st January, 1973.

[No. F. 13(1)-B/72;

B. MAITHRAYAN, Joint Secy.

बैंकिंग विभाग

नई दिल्ली, 2 जनवरी, 1973

का. आ. 95.—बैंकिंग विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषणा करती है कि उक्त—अधिनियम की धारा 10 ख की उपधारा (1) और (2) के उपबन्ध, वी ऑरियन्टल बैंक आफ कामर्स लि., नई दिल्ली पर 6 फरवरी, 1973 तक अथवा बैंक के पूर्णकालिक अध्यक्ष की नयी नियुक्ति होने तक, इनमें जो भी पहले हो, लागू नहीं होंगे।

[सं. 14(13)-बी. ओ. 3/72]

कै. येसुरत्नम, अवर सचिव

(Department of Banking)

New Delhi, 2nd January, 1973

S.O. 95.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of section 10B of the said Act shall not apply to the Oriental Bank of Commerce Ltd., New Delhi, till the 6th February 1973 or till the next appointment of a whole-time Chairman of that bank, whichever is earlier.

[No. 14(13)-B.O.III/72]

K. YESURATNAM, Under Secy.

रिजर्व बैंक ऑफ इंडिया

नई दिल्ली, 29 दिसम्बर, 1972

का10 प्रा0 96--रिजर्व बैंक ऑफ इंडिया अधिनियम, 1934 के अनुसरण में दिसम्बर 1972 की 22 तारीख को समाप्त हुए सप्ताह के लिए सेवा इशू विभाग

देयताएं	रुपये	रुपये	प्राप्तियां	रुपये	रुपये
बैंकिंग विभाग में रखे हुए नोट	22,28,00,000		सोने का सिकका और बुलियन :-- (क) भारत में रखा हुआ	182,53,11,000	
संचलन में नोट	4777,18,84,000		(ख) भारत के बाहर रखा हुआ		
			विदेशी प्रतिभूतियां	181,65,38,000	
जारी किये गये कुल नोट		4799,46,84,000	जोड़		354,18,49,000
			रुपये का सिकका		20,94,79,000
			भारत सरकार को रुपये प्रतिभूतियां		4424,33,56,000
			देशी विनिमय बिल और दूसरे वाणिज्य-पत्र		
कुल देयताएं		4799,46,84,000	कुल प्राप्तियां		4799,46,84,000

तारीख 27 दिसम्बर, 1972

एस० जगन्नाथन, गवर्नर

22 दिसम्बर, 1972 को रिजर्व बैंक ऑफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण

देयताएं	रुपये	प्राप्तियां	रुपये
चुक्ता पूंजी	5,00,00,000	नोट	22,28,00,000
भारक्षित निधि	150,00,00,000	रुपये का सिकका	3,69,000
राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि	209,00,00,000	छोटा सिकका	3,23,000
राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि	45,00,00,000	(खरीदे और भुनाये गये बिल :--	
राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि	175,00,00,000	(क) देशी	3,88,26,000
जमा राशियां :--		(ख) विदेशी	
(क) सरकारी		ग) सरकारी खजाना बिल	289,54,06,000
(i) केंद्रीय सरकार	54,26,47,000	विदेशों में रखा हुआ बकाया*	9,52,75,000
(ii) राज्य सरकारें	12,58,06,000	निवेश**	
(ख) बैंक		ऋण और अधिम	391,34,91,000
(i) अनुसूचित वाणिज्य बैंक	293,60,16,000	(i) केंद्रीय सरकार को	
(ii) अनुसूचित राज्य सहकारी बैंक	10,70,89,000	(ii) राज्य सरकारों को	68,92,57,000
(iii) गैर-अनुसूचित राज्य सहकारी बैंक	1,03,77,000	ऋण और अधिम :	
(iv) अन्य बैंक	1,20,24,000	(i) अनुसूचित वाणिज्य बैंकों को	10,56,80,000
		(ii) राज्य सहकारी बैंकों को	275,40,90,000
		(iii) दूसरों को	3,74,97,000
		राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं); निधि से ऋण,	
		अधिम और निवेश :	
		(क) ऋण और अधिम :	
		(i) राज्य सरकारों को	53,58,85,000
		(ii) राज्य सहकारी बैंकों को	22,14,44,000
		(iii) केंद्रीय भूमिबंधक बैंकों को	
		(iv) कृषि पुनर्वित्त निगम को	10,00,00,000
(ग) अन्य	84,98,86,000	(ख) केंद्रीय भूमिबंधक बैंकों के डिबेंचरों में निवेश	11,08,56,000
देयबिल	82,06,12,000	राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अधिम	28,97,82,000
अन्य देयताएं	353,60,13,000	राज्य सहकारी बैंकों को ऋण और अधिम	
		राष्ट्रीय औद्योगिक दीर्घकालीन क्रियाएं निधि से ऋण अधिम और निवेश	
		(क) विकास बैंक को ऋण और अधिम	93,06,94,000
		(ख) विकास बैंक द्वारा जारी किए गए बांडों/डिबेंचरों में निवेश	
		अन्य प्राप्तियां	45,87,95,000
	रुपये 1478,04,70,000		रुपये 1478,04,70,000

*नकली,अवधिक जमा और अल्पकालीन प्रतिभूतियां शामिल हैं।

**राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि में से किए गए निवेश शामिल नहीं हैं।

§ राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से प्रदत्त ऋण और अधिम शामिल नहीं हैं, परंतु राज्य सरकारों के प्रस्थायी ओवरड्राफ्ट शामिल हैं।

†रिजर्व बैंक ऑफ इंडिया अधिनियम की धारा 17(4)(ग) के अधीन अनुसूचित वाणिज्य बैंकों की मीयादी बिलों पर अधिम दिए गए शुल्क रुपये शामिल हैं।

‡राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और अधिम शामिल नहीं हैं।

एस० जगन्नाथन, गवर्नर

[सं० फ० 1/3/72-बी० प्रो०-1]

ब० ब० मीरजन्गानी, प्रवर सचिव

तारीख 27 दिसम्बर, 1972।

RESERVE BANK OF INDIA

New Delhi, the 29th December, 1972

S.O. 96.--An Account pursuant to the RESERVE BANK OF INDIA ACT, 1934, for the week ended the 29th day of December, 1972.

Issue Department

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	22,28,00,000		Gold Coin and Bullion:-		
Notes in circulation	4777,18,84,000		(a) Held in India	182,53,11,000	
			(b) Held outside India		
Total Notes issued		4799,46,84,000	Foreign Securities	171,65,38,000	
			TOTAL		354,18,49,000
			Rupee Coin		20,94,79,000
			Government of India Rupee Securities		4424,33,56,000
			Internal Bills of Exchange and other commercial Paper.		
Total Liabilities		4799,46,84,000	Total Assets		4799,46,84,000

S. JAGANNATHAN, Governor.

Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 22nd December, 1972.

Liabilities	Rs.	Assets	Rs.
Capital Paid Up	5,00,00,000	Notes	22,28,00,000
Reserve Fund	150,00,00,000	Rupee Coin	3,69,000
National Agricultural Credit (Long Term Operations) Fund	209,00,00,000	Small Coin	3,23,000
		Bills Purchased and Discounted :-	
		(a) Internal	3,88,26,000
		(b) External	
		(c) Government Treasury Bills	289,54,06,000
National Agricultural Credit (Stabilisation) Fund	45,00,00,000	Balances Held Abroad*	149,52,75,000
		Investments **	391,34,91,000
National Industrial Credit (Long Term Operations) Fund	175,00,00,000	Loans and Advances to:-	
		(i) Central Government	
		(ii) State Governments@	66,92,57,000
Deposits :-		Loans and Advances to:-	
(a) Government		(i) Scheduled Commercial Banks†	10,56,80,000
(i) Central Government	54,26,47,000	(ii) State Co-operative Banks‡	275,40,90,000
(ii) State Governments.	12,58,06,000	(iii) Others	3,74,97,000
		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
		(a) Loans and Advances to:-	
		(i) State Governments	53,58,85,000
		(ii) State Co-operative Banks	22,14,44,000
(b) Banks		(iii) Central Land Mortgage Banks	
(i) Scheduled Commercial Banks	293,60,16,000	(iv) Agricultural Refinance Corporation.	10,00,00,000
(ii) Scheduled State Co-operative Banks	10,70,89,000	(b) Investment in Central Land Mortgage Bank Debentures Loans and Advances from National Agricultural Credit (Stabilisation) Fund	11,08,56,000
(iii) Non-Scheduled State Co-operative Banks.	1,03,77,000	Loans and Advances to State Co-operative Banks	28,97,82,000
(iv) Other Banks	1,20,24,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund.	
(c) Others	84,93,86,000	(a) Loans and Advances to the Development Bank	93,06,94,000
Bills Payable.	82,06,12,000	(b) Investment in bonds/debentures issued by the Development Bank	
Other Liabilities.	353,60,13,000	Other Assets.	45,87,95,000
	Rupees. 1478,04,70,000		Rupees. 1478,04,70,000

* Includes Cash, Fixed Deposits and Short-term Securities.

** Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Government.

Includes Rs. Nil advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated, 27th December, 1972.

S. JAGANNATHAN, Governor.

[No. F.1/3/72-BOI]

C. W. MIRCHADARI, Under Secy.

(Department of Expenditure)

New Delhi, the 8th December, 1972

S.O. 97.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and, after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules to amend the Central Civil Services (Pension) Rules, 1972 namely:—

- (1) These rules may be called the Central Civil Services (Pension) Amendment Rules, 1972.
- (2) They shall come into force on the date of their publication in the official Gazette.

2. To clause (c) of sub-rule (14) of rule 54 of the Central Civil Services (Pension) Rules, 1972, the following proviso shall be added, namely:—

“Provided that in a case in which average emoluments as referred to in rule 34 are treated as emoluments for the purpose of Death-cum-Retirement Gratuity referred to in rule 50, such average emoluments shall be treated as pay”.

[No. 5(6)-E.V. (B)/72.]

S. S. L. MALHOTRA, Under Secy.

(व्यय विभाग)

नई दिल्ली, 21 दिसम्बर, 1972

का. आ. 98.—भारत के संविधान की धारा 309 के परन्तुक और धारा 148 के खण्ड (5) द्वारा प्रदत्त शक्तियाँ तथा इस सम्बन्ध में अधिकार प्रदायी अन्य समस्त शक्तियों का प्रयोग करते हुए राष्ट्रपति, भारतीय लेखा परीक्षा और लेखा विभाग में संवत्त व्यक्तियों के विषय में भारत के नियंत्रक-महालेखा परीक्षा के साथ परामर्श करके, मूल नियमों में अतिरिक्त संशोधन करने के लिए एतद्वारा निम्नीलिखित नियम बनाते हैं, अर्थात्:—

- 1 (1) इन नियमों का मूल (पंचम संशोधन) नियम, 1972 कहा जाएगा।
- (2) ये नियम राजपत्र में प्रकाशन की तारीख से प्रवृत्त होंगे।

2 मूल नियमों में, नियम 9 के खण्ड (7) के अन्त में निम्नलिखित अन्तःस्थापित किया जाएगा:—

“अथवा संघ शासित क्षेत्र की समीकित निधि”

[सं. एफ. 1(12)-ई 3 (बी)/72]

बी. एस. निम, अवर सचिव

New Delhi, the 21st December, 1972

S.O. 98.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the constitution and of all other powers enabling him in this behalf, the President, after consultation with the Comptroller and Auditor General of India in respect of persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the Fundamental Rules, namely:—

1. (i) These rules may be called the Fundamental (Fifth Amendment) Rules, 1972.
- (ii) They shall come into force on the date of their publication in the official Gazette.

2. In the Fundamental Rules, in Clause (7) of rules 9, the following shall be inserted at the end, namely:—

“or the consolidated Fund of a union territory”.

[No. F. 1(12)-E. III(B)/72].

B. S. NIM, Under Secy.

समाहर्ता कार्यालय, सीमाशुल्क व केंद्रीय उत्पाद शुल्क

(केंद्रीय उत्पाद शुल्क)

कोच्चिन, 19 दिसम्बर, 1972

का. आ. 99.—1944 की केंद्रीय उत्पाद शुल्क नियमावली के 173-जी(4) नियम के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए मैं एतद्वारा, दिनांक 5-11-71 की कार्यालय अधिसूचना सं. 4/71 में निम्नीकृत संशोधन करता हूँ।

उक्त अधिसूचना की दी गई सारणी में क्रम सं. 12, टैरिफ मद सं. 17, कागज के सामने तथा “पनारीदार कागज” के बाद स्तंभ चार, “क्राफ्ट कागज एवं” मद संख्या (11) में निम्नीकृत शब्द और जोड़ दिए जाए।

(“और क्राफ्ट कागज”)

[सं. 1/72]

कौशल्या नारायणन, समाहर्ता

COLLECTORATE OF CUSTOM AND CENTRAL EXCISE

(Office of the Collector of Customs and Central Excise)

Cochin, the 19th September, 1972

CENTRAL EXCISE

S.O. 99.—In exercise of the powers conferred on me under Rule 173-G(4) of the Central Excise Rules 1944, I hereby makes the following amendment to this Collectorate Notification No. 4/71 dated 5-11-71, namely.

In the Table below the said notification, against serial No. 12, Tariff item No. 17, Paper the following words may be added after corrugated paper, in col. 4 item (ii) “and kraft paper”.

(“AND KRAFT PAPER”)

[No. 1/72]

KAUSALYA NARAYANAN, Collector.

नागापुर, 24 नवम्बर, 1972

का. आ. 100.—केंद्रीय उत्पाद शुल्क नियमावली 1944 को नियम 5 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए मैं आर. एन. शुक्ला, समाहर्ता केंद्रीय उत्पाद शुल्क, मध्यप्रदेश एवं विदर्भ, नागापुर, एतद्वारा केंद्रीय उत्पाद शुल्क के सहायक समाहर्ताओं और अधीक्षकों की, अपने अधिकार क्षेत्र में क्रमशः नियम 173(ख) और 173(ग), के अंतर्गत निधीपरीक्षियों द्वारा प्रस्तुत की जानेवाली वर्गीकरण एवं मूल्यांकन सूचियों का अनुमोदन करने के लिए उचित पदाधिकार के रूप में अधिकृत करता हूँ।

[सं. 2/1972]

आर. एन. शुक्ला, समाहर्ता

Nagpur, the 24th November, 1972

S.O. 100.—In exercise of the powers vested in me under Rule 5 of the Central Excise Rules, 1944, I, R. N. Shukla, Collector of Central Excise, Madhya Pradesh and Vidarbha, Nagpur, hereby authorise the Assistant Collectors and Superintendents of Central Excise in this Collectorate to act as proper officers for approval of classification and valuation lists filed by the assesses, as required under Rule 173(B), 173(C) respectively, of the said Rules, in their respective jurisdiction.

[No. 2/1972]

R. N. SHUKLA, Collector.

कानपुर, 1 नवम्बर, 1972

का. आ. 101.—नियम 173-जी के उप नियम (4) द्वारा प्रदत्त शक्तियों के प्रयोग में मैं एतद्वारा विद्युत् प्रदीप्त-निलकाओं (एलेक्ट्रिक-फ्लूओरोसेन्ट-ट्यूब्स) के लिये पहले से निर्धारित “ग्लास-ट्यूब-शेल्स” के अतिरिक्त “बाई-पिन-कैप्स” को कच्ची सामग्री के रूप में निर्धारित करता हूँ।

[सं. 9/72]

ज्योतिर्मय दत्त, समाहर्ता

Kanpur, the 1st November, 1972

S.O. 101.—In exercise of the powers conferred on me by sub-rule (4) of Rule 173-G, I hereby prescribed “Bi-Pin caps” as raw material for election fluorescent tubes besides “Glass-Tube Shells” already prescribed as above.

[No. 9/72]

JOYTIRMOY DATT, Collector.

विदेश व्यापार मंत्रालय

नई दिल्ली, 25 नवम्बर, 1972

आदेश

का. आ. 102.—मैंने की टांगों का निर्यात (निरीक्षण) नियम, 1965 के नियम 6 के अनुसूचना में केन्द्रीय सरकार भारत सरकार के विदेश व्यापार और पूर्ति मंत्रालय (विदेश व्यापार विभाग) की अधिसूचना सं. का. आ. 3323, ता. 14 अगस्त, 1969 में निम्नलिखित संशोधन एतद्वारा करती हूँ, अर्थात्:—

उक्त अधिसूचना के नीचे दी गई सांगी के स्तंभ (2) में :

“मद्रास क्षेत्र (जिस में आन्ध्र प्रदेश, तामिलनाडु राज्य तथा पाण्डिचेरी संघ राज्य क्षेत्र भी सम्मिलित हैं)” शीर्षक के अन्तर्गत, कम सं. 5 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“श्री बी. ए. कौरियन,
मैसर्स सर्वन सी-फूड्स (प्रा.) लि.,
मोन्टियथ क्रेट, मोन्टियथ रोड,
मद्रास-8.”

[सं. 6(9)/71-नि. नि. तथा नि. सं.]

MINISTRY OF FOREIGN TRADE

New Delhi, the 25th November, 1972

ORDER

S.O. 102.—In pursuance of rule 6 of the Export of Frog legs (Inspection) Rules, 1965, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Foreign Trade & Supply (Department of Foreign Trade) No. S.O. 3323 dated the 14th August, 1969, namely:—

In column (2) of the Table appearing below the said notification, under the heading “Madras Region (covering the States of Andhra Pradesh, Tamil Nadu and the Union Territory of Pondicherry)” for serial No. (5) and entries relating thereto the following shall be substituted, namely:—

Shri V. A. Kurien,
M/s. Southern Seafoods (P) Ltd.,
Montieth Court,
Montieth Road,
Madras-8.

[No. 6(9)/71-EI&FP]

नई दिल्ली, 6 जनवरी, 1973

का. आ. 103.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 में और आगे संशोधन करने के लिए एतद्वारा निम्नलिखित नियम बनाती है, अर्थात्:—

- (1) ये नियम निर्यात (क्वालिटी नियंत्रण और निरीक्षण) संशोधन नियम, 1973 कह जा सकेंगे।
(2) ये सरकारी राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।
- निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 3 के उप-नियम (1) में “तीन वर्षों” शब्दों के स्थान पर “एक वर्ष” शब्द रखे जाएंगे।

[सं. 3(38)/72-ई आई एंड ई. पी.]

एम. के. बी. भटनागर, उप निदेशक
(निर्यात संवर्धन)

New Delhi, the 6th January, 1973.

S.O. 103.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export (Quality Control and Inspection) Rules, 1964, namely:—

- (1) These rules may be called the Export (Quality Control and Inspection) Amendment Rules, 1973.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 3 of the Export (Quality Control and Inspection) Rules, 1964, in sub-rule (1), for the words “three years”, the words “one year” shall be substituted.

[No. 3 (38)/72-EI&EP]

M.K.B. BHATNAGAR, Deputy Director,
(Export Promotion).

(लॉहा तथा इस्पात के सहायक निर्यात का कार्यालय)

फरीदाबाद, 22 अक्टूबर, 1971

आदेश

का. आ. 104.—सर्वश्री अम्बे इंडस्ट्रीज, 1-ई. कमला नगर, दिल्ली-7 को सार्वजनिक सूचना सं. 140/70 के अधीन अप्रैल-मार्च, 1971 अवधि के लिए यू. के. से आयात के लिए 23,025 रु. मूल्य के लिए एक आयात लाइसेंस सं. पी/एस/8551806/आर/एम एल/39/डी/31.32 दिनांक 30-4-71 जिसका पंजीकरण का पत्तन बम्बई है, प्रदान किया गया था। उन्होंने उक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रति और सीमा शुल्क निकासी प्रति (दोनों प्रतियों) की अनुलिपियों के लिए इस आधार पर आवेदन किया है कि मूल प्रतियां खो गई हैं/अस्थानस्थ हो गई हैं। यह भी उल्लेख किया गया है कि मूल लाइसेंस किसी सीमा शुल्क प्राधिकारी से पंजीकृत नहीं कराया था और उसका उपयोग बिल्कुल नहीं किया था।

इस तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि पूर्वोक्त लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रति और सीमा शुल्क निकासी प्रति खो गई हैं/अस्थानस्थ हो गई हैं और निदेश देता हूँ कि विषयाधीन लाइसेंस की मूल मुद्रा विनिमय नियंत्रण प्रति और सीमा शुल्क निकासी प्रति को रद्द करके इन की अनुलिपियां आवेदक को जारी की जानी चाहिए।

[सं. पी/एस/86/एस. 71/एन यू/ए यूडी/आई एण्ड एस सी एड हाक]
एम. जी. गोम्बर, उप मुख्य नियंत्रक।

(Office of the Asst. Iron & Steel Controller of Imports & Exports)

Faridabad (Haryana), the 22nd October, 1971

S.O. 104.—M/s. Ambe Industries, I-E Kamla Nagar, Delhi-7 was granted import licence No. P/S/8551806/R/M/39/D/31-32 dated 20-4-71 for Rs. 23,025/- under U. K. for AM.71 period under Public Notice No. 140/70 which port of Regn. is Bombay. They have applied for duplicate Exchange Control Purposes and Customs Clearance Purposes copy (both sides) of the said licence on the ground that original E.C.P. & C.C.P. copy of the said licence has been lost/misplaced. It is further stated that the original licence was not registered with any custom authority and was not utilised at all.

In support of this contention the applicant has filed an affidavit. I am satisfied that the original E.C.P. & C.C.P. copy of the aforesaid licence has been lost/misplaced and direct that duplicate ECP and CCP copies should be issued to the applicant in cancellation of original ECP and CCP copies of the licence in question.

[No. P/A. 86/AM. 71/NU/AUD/I&SC/ADHOC. 2512]

M. G. GOMBAR, Dy. Chief Controller.

(उप-मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

फरीदाबाद (हरियाणा), 2 सितम्बर, 1972

आदेश

का. आ. 105.—सर्वश्री अम्बिका इंडस्ट्रीज, ए/3-4, सरदार नगर, डाकखाना—आजादपुर, दिल्ली-33 को अप्रैल-मार्च, 1969 अवधि के लिए यू.के. के अन्तर्गत बम्बई पत्तन के पंजीयन के साथ 2,000/- रु. का एक आयात लाइसेंस संख्या. पी/एस/8552870/सी/एक्सएक्स/39/डी/27-28, दिनांक 30-4-71 प्रदान किया गया था। उन्होंने उपर्युक्त लाइसेंस की अनुलिपि सीमाशुल्क निकासी कार्यसम्बन्धी प्रति के लिए इस आधार पर आवेदन किया है कि उपर्युक्त लाइसेंस की मूल सीमाशुल्क निकासी कार्यसम्बन्धी प्रति

खो गई है/अस्थानस्थ हो गई है। आगे यह बताया गया है कि मूल लाइसेंस किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत नहीं करवाया गया था और उसका बिल्कुल उपयोग नहीं किया गया था।

उपर्युक्त तर्क के समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि उपर्युक्त लाइसेंस की मूल सीमाशुल्क निकासी कार्यसम्बन्धी प्रति खो गई है/अस्थानस्थ हो गई है और निदेश देता हूँ कि आवेदक को विषयाधीन लाइसेंस की मूल, सीमाशुल्क निकासी कार्यसम्बन्धी प्रति को रद्द करते हुए अनुलिपि सीमाशुल्क निकासी कार्यसम्बन्धी प्रति जारी की जानी चाहिए।

[सं. एनपी./एस. 2/एस. 71/एन.यू./एयूडी/एआई.सी.एस.]

के. एन. कपूर, उप-मुख्य नियंत्रक।

(Office of the Dy. Chief Controller of Imports & Exports)
Faridabad (Haryana), the 25th September, 1972

CANCELLATION ORDER

S.O. 105.—M/s. Sh. Ambica Industries, A/3-4, Sardar Nagpur, P. O. Azadpur, Delhi-33 was granted an import licence No. P/S/8552870/C/XX/39/D/27.28 dated 30-4-71 for Rs. 2,000/- under U. K. for AM. 69 period with port of Regn., Bombay. They have applied for duplicate Custom Clearance Purpose copy of the said licence on the ground that the original CCP copy of the said licence has been lost/misplaced. It is further stated that the original licence was not registered with any custom authority and was not utilised at all.

In support of this contention, the applicant has filed an affidavit. I am satisfied that the original CCP copy of the aforesaid licence has been lost/misplaced and direct that duplicate CCP copy should be issued to the applicant in cancellation of original CCP copy of the licence in question.

[No. NP/S. 2/AM. 71/NU/AUD/AICS]

K. N. KAPOOR, Dy. Chief Controller

(मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

नई दिल्ली, 27 दिसम्बर, 1972

आदेश

का. आ. 106.—श्री भवानी सन गुप्त को 1961 एम. बी. 220 कार के आयात के लिए 5000 रु. के लिए सीमाशुल्क निकासी परमिट संख्या पी/जे/2372118/एन/एम पी/36/एच आर/31-32, दिनांक 9-7-70 प्रदान किया गया था। उन्होंने सीमाशुल्क निकासी परमिट की अनुलिपि प्रति के लिए आवेदन किया है, क्योंकि मूल सीमाशुल्क निकासी परमिट खो गया है। आगे यह बताया गया है कि मूल सी.सी.पी. को किसी सीमाशुल्क कार्यालय में पंजीकृत नहीं कराया गया था और उसका उपयोग नहीं किया गया था।

इस तर्क के समर्थन में श्री भवानी सन गुप्त ने एक शपथ पत्र दाखिल किया है। उन्होंने वचन दिया है कि यदि वह सी.सी.पी. बाद में मिल जाएगा तो उसे कार्यालय के रिकार्ड हेतु लौटा देंगे। मैं संतुष्ट हूँ कि मूल सी. सी. पी. सं. पी/जे/2312118/एन/एम पी 36/एच/31-32, दिनांक 9-7-70 खो गया है और निदेश देता हूँ कि उनको अनुलिपि सी.सी.पी. जारी किया जाना चाहिए। मूल सीमाशुल्क निकासी परमिट को रद्द किया गया समझा जाए।

[सं 2(ए-32)/70-71/बी. एल. एस. 1061.]

एम. जी. गोम्बर, उप मुख्य नियंत्रक।

(Office of the Chief Controller of Imports and Exports)
ORDER

New Delhi, the 27th December, 1972

ORDER

S.O. 106.—Mr. Bhabani Sen Gupta, Jawaharlal Nehru University, Ferozshah Road, New Delhi-1 was granted Custom Clearance Permit No. P/J/2372118/N/MP/36/HR/31-32 dated 9-7-70 for Rs. 5000 for import of a 1961 M.B. 220 car has applied for a duplicate copy of the Custom Clearance Permit as the original C.C.P. has been lost. It is further stated that the original CCP was not registered with any Custom House and not utilised.

In support of this contention Mr. Bhabani Sen Gupta has filed an affidavit. He has undertaken to return the C.C.P. if traced later to this office for record. I am satisfied that the original C.C.P. No. P/J/2372118/N/MP/36/HR/31-32 dt. 9-7-70 has been lost and direct that a duplicate C.C.P. should be issued to him. The original Custom Clearance Permit may be treated as cancelled.

[F. No. 2(A-32)/70-71/BLS/4061]

M. G. GOMBAR, Dy. Chief Controller.

नई दिल्ली, 19 दिसम्बर, 1972

आवेश

का. आ. 107.—सर्वश्री हेंबी इलेक्ट्रीकल्स (इंडिया) लि. डाकघर पिपलानी, भोपाल को 12,00,000 रु. (बारह लाख रुपये मात्र) मूल्य का एक आयात लाइसेंस सं. जी/एच/1040266 दिनांक 27-11-1969 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की मूला विनिमय नियंत्रण प्रति की अनुरूप जारी करने के लिए इस आधार पर आवेदन किया है कि मूल मूला विनिमय नियंत्रण प्रति अस्थानस्थ हो गई है। यह भी उल्लेख किया गया है कि मूल मूला विनिमय नियंत्रण प्रति बम्बई में सीमाशुल्क प्राधिकारियों से पंजीकृत कराई थी। इसका उपयोग 11,54,000 रु. तक कर लिया था और इस पर 46,000 रु. (छयालीस हजार रुपये मात्र) का उपयोग करना बाकी थी।

2. इस तर्क के समर्थन में आवेदक ने नोटरी पब्लिक भोपाल के एक प्रमाण पत्र के साथ एक शपथ पत्र दाखिल किया है। तदनुसार, मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल मूला विनिमय नियंत्रण प्रति खो गई है। इसलिए, यथा संशोधित, आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उप धारा 9 (सी. सी.) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री हेंबी इलेक्ट्रीकल्स (इंडिया) लि. भोपाल को जारी किए गए लाइसेंस सं. जी/एच/1040266 दिनांक 27-11-69 की उक्त मूल मूला विनिमय नियंत्रण प्रति एतद्वारा रद्द की जाती है।

3. उक्त लाइसेंस की मूला विनिमय नियंत्रण प्रति की अनुरूप जारी लाइसेंसधारी को अलग से जारी की जा रही है।

[सं. सेंट/हेल/8/69-70/पी. एल. एस. (ए)]

सरदूल सिंह, उप मुख्य नियंत्रक

New Delhi, the 19th December, 1972

ORDER

S.O. 107.—M/s. Heavy Electricals (India) Ltd., P. O. Piplani, were granted an import licence No. G/AU/1040266 dated 27-7-7969 for Rs. 12,00,000 (Rupees twelve lakhs only). They have applied for the issue of a duplicate Exchange Control Purposes copy of the said licence on the ground that the Exchange Control Purposes copy has been misplaced. It is further stated that the original Exchange Control copy was registered with the Customs authorities at Bombay. It was utilised for Rs. 11,54,000 and the

balance available on it was Rs. 46,000/- (Rupees forty-six thousands only).

2. In support of this contention the applicant has filed an affidavit alongwith a certificate from Notary Public, Bhopal. I am accordingly satisfied that the original Exchange Control Purposes copy of the said licence has been lost. Therefore, in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order, 1955 dated 7-12-1955, as amended, the said original Exchange Control Purposes copy of licence No. G/AU/1040266 dated 27-11-69, issued to M/s. Heavy Electrical (India) Ltd., Bhopal, is hereby cancelled.

3. A duplicate Exchange Control Purposes copy of the said licence is being issued separately to the licensee.

[No. Cent/Hel/8/69-70/PLS(A)]

SARDUL SINGH, Dy. Chief Controller

(संयुक्त-मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

बम्बई, 11 फरवरी, 1972

आवेश

का. आ. 108.—सर्वश्री रनछोदास आत्माराम पिपलवाला, लिम्बा चौक, सूरत को 1.6 मि. मी. और इससे पतली पी. क्यू. एम. एम. बी. पी/सी. आर. सी. ए. शीट्स के आयात के लिए 6666 रु. मूल्य का एक लाइसेंस सं. पी/एस/8021280 दिनांक 10-2-1970 इस शर्त के अधीन जारी किया गया था कि वे लाइसेंसों के साथ संलग्न शर्तों सं. (13) का पालन करेंगे जिसके अनुसार विदेशी संभरकों को उन के द्वारा दिए गए आदेशों का साक्ष्य इस कार्यालय को प्रस्तुत करना आवश्यक था।

2. उसके पश्चात् उनको एक कारण बताओ नोटिस सं. 1/73/71-ई पी/एन्क दिनांक 30-7-71/16-8-71 यह पृष्ठों हुए जारी किया गया था कि 15 दिन के भीतर इस बात का कारण बताएं कि उनको जारी किए गए लाइसेंस को धारा 9, उप धारा (सी सी) की शर्तों के अनुसार इस आधार पर रद्द क्यों न कर दिया जाए कि उन्होंने उप नियंत्रक, लोहा तथा इस्पात के पत्र सं. बी एल/24/आर.8/27.28 दिनांक 15-1-1971 का उत्तर नहीं दिया गया है या निर्धारित समय के भीतर शर्तों की पूर्ति नहीं की है।

3. पूर्वोक्त कारण बताओ नोटिस के प्रत्युत्तर में सर्वश्री रनछोदास आत्माराम पिपलवाला, सूरत ने अपने पत्र दिनांक 23-8-1971 द्वारा मामले का स्पष्टीकरण करने के लिए समय सीमा में एक महीने की वृद्धि मांगी। लेकिन, 24-11-1971 तक समय सीमा की वृद्धि देने के बाद भी उन्होंने कारण बताओ नोटिस का उत्तर नहीं दिया है।

4. अधोहस्ताक्षरी ने उक्त अध्यावेदन की ध्यान पूर्वक जांच कर ली है और इस निर्णय पर पहुंचा है कि वे लाइसेंस पर अनुबोधित शर्तों को पूरा करने में असमर्थ रहे हैं।

5. पिछले पैरा में जो कुछ बताया गया है उसको ध्यान में रखते हुए अधोहस्ताक्षरी संतुष्ट है कि विषयाधीन लाइसेंस को या तो रद्द कर दिया जाना चाहिए या अन्यथा अप्रभावी कर दिया जाना चाहिए। इस अधोहस्ताक्षरी के आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की धारा 9 उप धारा (सी. सी.) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री रनछोदास आत्माराम पिपलवाला, लिम्बा चौक, सूरत को 6666 रु. मूल्य के लिए जारी किए गए लाइसेंस सं. पी/एस/8021280 दिनांक 10-2-1970 को एतद्वारा रद्द करता है।

[सं. 1/73/71/आई एंड एस/एन्क/340]

एन. बनर्जी, उप मुख्य नियंत्रक

(Office of the Joint Chief Controller of Imports and Exports)

Bombay, the 11th February, 1972

ORDER

S.O. 108.—A licence No. P/S/801280 dated 10-2-70 of the value of Rs. 6,666 for import of P.Q.M.S. BP/CRC/A Sheets of 1.6 mm & thinner was issued to M/s. Ranchhodas Atmaram Pipwala, Limda Chowk, Surat subject to the condition that they would comply with the provisions of conditions No. (XIII) attached with licences according to which they were required to produce evidence of placement of orders with Foreign Suppliers to this office.

2. Thereafter a show cause notice No. 1/73/71/EP/Enf dated 30-7-71/16-8-71 was issued asking them to show cause within 15 days as to why the said licence in their favour should not be cancelled on the ground that they have failed to reply to Dy. Iron & Steel Controller's letter No. BL/24/R-8/27-28 dated 15-1-1971 or fulfil the condition within the stipulated time in terms of clause 9, Sub-clause (cc).

3. In response to the aforesaid show cause notice, M/s. Ranchhodas Atmaram Pipwala, Surat had, by their letter dated 23-8-1971 asked for extension in the time limit of one month to explain the matter. They have however not replied to the show cause notice even after giving extension of the time limit upto 24-11-1971.

4. The undersigned has carefully examined the said representation and has come to the conclusion that they have failed to fulfil the condition stipulated on the licence.

5. Having regard to what has been stated in the preceding paragraph, the undersigned is satisfied that the licence in question should be cancelled or otherwise rendered ineffective. Therefore, the undersigned, in exercise of the powers vested in him under Clause 9 sub-clause (cc) of the Imports (Control) Order, 1955 hereby cancel the licence No. P/S/801280 dated 10-2-1970 for Rs. 6,666 issued in favour of M/s. Ranchhodas Atmaram Pipwala, Limda Chowk, Surat.

[No. 1/73/71/I&S/Enf/340]

N. BANERJI, Dy. Chief Controller.

नई दिल्ली, 26 सितम्बर, 1972

आदेश

का.आ. 109.—सर्वश्री इन्डियन कास्मेटिक इन्डस्ट्रीज, 230, गली गुंजास दरीबा कला दिल्ली-6 को यू. के. कीडट पर कमशः कम संख्या 22-31/5 और 127-129/4 के अन्तर्गत आने वाले अनुमोच सुगंधित रसायनों तथा प्राकृतिक सुगंधित तेलों के आयात के लिए 5000 रुपये (पांच हजार रुपये मात्र) के लिए एक आयात लाइसेंस संख्या पी/एस/1730365, दिनांक 28-1-72 को प्रदान किया गया था। उन्होंने लाइसेंस की अनुमति सीमाशुल्क प्रयोजन प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की अनुमति सीमाशुल्क प्रयोजन का बिना उपयोग किए ही वह अस्थानस्थ हो गई है।

2. आवेदक ने अपने तर्क के समर्थन में आयात व्यापार नियंत्रण, क्रियाविधि, हॉडबुक, 1972-73 के परिशिष्ट 8 के साथ पढ़े जाने वाले धारा 318(2) के अन्तर्गत अपेक्षित स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति अस्थानस्थ हो गई है।

3. अद्यतन यथासंशोधित आयात (नियंत्रण) आदेश, 1955, दिनांक 4-12-1955 की धारा 9 (सी सी) के अन्तर्गत संशोधित अधिकारों का प्रयोग कर लाइसेंस संख्या पी/एस/1730365, दिनांक 28-1-72 को सीमाशुल्क प्रयोजन प्रति को रद्द करने का आदेश देता हूँ।

4. अब आवेदकों को उक्त लाइसेंस की एक अनुमति सीमाशुल्क प्रयोजन प्रति जारी करने के लिए आयात व्यापार नियंत्रण, क्रियाविधि, हॉडबुक, 1972-73 के धारा 318(1) के अनुसार विचार किया जाएगा।

[संख्या एन पी. 1/4/एस. 72/एस. यूटी. सी एलए/3218]

New Delhi, the 26th September, 1972

ORDER

S.O. 109.—M/s. Indian Cosmetic Industries, 230 Gali Kunjas Dariba Kalan, Delhi-6, were granted an import licence No. P/S/1730365 DT. 28.1.72 for the import of permissible Aromatic Chemicals and Natural Essential Oils, under S. No. 22-31/V and 127-129/IV respectively on U.K. credit for Rs. 5000 only (Rs. Five Thousand Only). They have applied for the issue of duplicate Custom Purposes copy of the licence on the ground that Custom Purposes copy of the licence has been misplaced without having been utilised.

2. The applicant have filed an affidavit on stamped paper in support of their contention as required under Para 318(2) read with appendix 8 of the I.T.C. Hand Book of Rules and procedure, 1972-73. I am satisfied that the original Custom Purposes copy of the licence had been misplaced.

3. In exercise of the powers conferred on me under Clause 9(cc) Imports (Control) Order, 1955 dated 7th, December, 1955 as amended up-to-date, I order cancellation of Custom Purposes copy of licence No. P/S/1730365 dated 28.1.72.

4. The applicant's case will now be considered for issue of a duplicate Custom Purposes copy of the said licence in accordance with para 318(1) of I.T.C. Hand Book of Rules and Procedure, 1972-73.

[No. NP.-1/4/A.M.72/AU. UT. CLA./3218]

नई दिल्ली, 30 सितम्बर, 1972

आदेश

का. आ. 110.—सर्वश्री मॅटैलाइड इन्डिया, 832-33, इन्डस्ट्रियल एरिया-बी, लुधियाना को सामान्य मुद्रा क्षेत्र से बाल बेयरिंग इत्यादि के आयात के लिए 6667 रु. का एक आयात लाइसेंस संख्या पी/एस/1699951/सी. दिनांक 19-8-71 स्वीकृत किया गया था। उन्होंने उपर्युक्त लाइसेंस की अनुमति सीमाशुल्क कार्यसम्बन्धी प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क कार्यसम्बन्धी प्रति किसी भी सीमाशुल्क कार्यालय में पंजीकृत कराए बिना और उसका बिल्कुल उपयोग किए बिना ही खो गई है/अस्थानस्थ हो गई है।

2. अपने तर्क के समर्थन में आवेदक ने आयात व्यापार नियंत्रण, नियम तथा क्रियाविधि, हॉडबुक, 1972-73 की कीडका 318(1) के अन्तर्गत यथा अपेक्षित स्टाम्प कागज पर एक शपथपत्र दाखिल किया है। मैं संतुष्ट हूँ कि लाइसेंस की मूल सीमाशुल्क कार्यसम्बन्धी प्रति अस्थानस्थ हो गई है।

3. अद्यतन यथा संशोधित आयात (नियंत्रण) आदेश, 1955, दिनांक 1-12-55 की धारा 9(सीसी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर मैं 6667 रु. के लिए जारी किए गए लाइसेंस संख्या पी/एस/1699951, दिनांक 19-8-71 को रद्द करने का आदेश देता हूँ।

4. आवेदक को अब लाइसेंस संख्या पी/एस/1699951, दिनांक 19-8-71 की अनुमति सीमाशुल्क कार्यसम्बन्धी प्रति जारी करने के मामले पर आयात व्यापार नियंत्रण, नियम तथा क्रियाविधि, हॉडबुक, 1972-73 की कीडका 318(1) के अनुसार विचार किया जाएगा।

[सं. पी.एस. 12(एस)/ए.एम.71/एस. पी बी/सीएलए/3135]

New Delhi, the 30th September, 1972

CANCELLATION ORDER

S.O. 110.—M/s. Metalised India, 832-33, Industrial Area-B, Ludhiana was granted Licence No. P/S/1699951/C dated 19-8-71 for Rs. 6667 for the import of Ball Bearing etc. On C.C.A. they have applied for issue of duplicate of Custom Copy of the licence on the ground that Original Custom Copy has been lost/Misplaced without having been registered with any customs House and un-utilised at all.

2. The applicant has filed an affidavit on Stamp Paper in support of their contention as required under para 318(1) of ITC Hand Book of Rules & Procedure 1972-73. I am satisfied that the Original Custom Copy of the Licence has been misplaced.

3. In exercise of the powers conferred on me under clause 9(cc) Import (Control) Order, 1955 dated 1-12-55 as amended up-to-date, I Order the cancellation of the licence No. P/S/1699951 dt. 19-8-71 for Rs. 6667 (Custom Copy).

4. The applicant's case will now be considered for the issue of custom copy of the licence No. P/S/1699951/C Dated 19-8-71 for Rs. 6667 in accordance with para 318(1) of L.I.C. Hand Book of Rules & Procedure, 1972-73.

[File No. P/M-12(N)/AM-71/AU.PB/CLA/3135]

आदेश

का. आ. 111.—सर्वश्री राजा मेकैनिक्ल वर्क्स (रीज.) बी-33, इंडिस्ट्रियल इस्टेट, लुधियाना को सभी क्रीटड शीट कटिंग तथा कट लैंग्थ में नुक्सवाली को छोड़कर एम.एस. शीट कटिंग तथा 2. 1000 कि. ग्राम से कम हाई स्पीड स्टील, प्रत्येक 30x16 एम एम साइज के आयात के लिए आयात लाइसेंस संख्याएं पी/एस/1713026 मूल्य 24600 रु. तथा पी/एस/1713027 मूल्य 24600 रु. स्वीकृत किए गए थे। उन्होंने उपर्युक्त लाइसेंसों की अनुलिपि सीमाशुल्क कार्यसंबंधी प्रतियों के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस बिना उपयोग किए और किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत करवाए बिना ही खो गए हैं/अस्थानस्थ हो गए हैं।

2. अपने तर्क के समर्थन में आवेदक ने आयात व्यापार नियंत्रण नियम तथा क्रियाविधि, हैंडबुक, 1972-73 की कंडिका 318(1) के अन्तर्गत यथा अपेक्षित स्टाम्प कागज पर एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि मूल लाइसेंस अस्थानस्थ हो गए हैं।

3. अद्यतन यथा संशोधित आयात (नियंत्रण) आदेश, 1955, दिनांक 7-12-55 की धारा 9(सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस संख्याओं 1713026 तथा 1713027 (केवल सीमाशुल्क कार्य प्रतियों) को रद्द करने का आदेश देता हूँ।

4. आवेदक को अब आयात व्यापार नियंत्रण, नियम तथा क्रियाविधि, हैंड बुक, 1972-73 की कंडिका 318(1) के अनुसार सीमाशुल्क कार्यसंबंधी प्रतियां जारी करने के मामले पर विचार किया जाएगा।

[संख्या पी/आर-98(एन)/ए एम.72/ए यू.पी.बी/सी. एल ए]

CANCELLATION ORDER

S.O. 111.—M/s. Raja Mechanical Works (Regd.) B-33, Industrial Estate, Ludhiana were granted import licences No. P/S/1713026 for Rs. 24600 and P/S/1713027 for Rs. 24600 for the import of M. S. Sheet cutting & defective sheets in cut length excluding all coated sheet cutting and defective & 2. High speed steel 30x16MM below 1000 Kg in each size. They have applied for issue of duplicate Customs purpose copies of the licence on the ground that original licences have been lost/misplaced without having been utilized and registered with any Custom Authorities.

2. The applicant has filed an affidavit on stamped paper in support of their contention as required under para 318(1) of ITC Hand Book of Rules & Procedure, 1972-73. I am satisfied that the original licences have been misplaced.

3. In exercise of the powers conferred on me under clause 9(cc) Import (Control) Order, 1955 dated 7-12-1955 as amended upto date, I order the cancellation of the licence No. 1713026 & 1713027 dt. 30-3-72 (Customs copies only).

4. The applicants case will now be considered for the issue of Customs copies in accordance with para 318(1) of ITC Hand Book of Rules & Procedure, 1972-73.

[File No. P/R-98(N)/AM-72/AU. PB./CLA]

आदेश

का. आ. 112.—सर्वश्री राजा मेकैनिक्ल वर्क्स (रीज.) बी-33, इंडिस्ट्रियल इस्टेट लुधियाना को सभी क्रिस्म की क्रीटड शीट कटिंग तथा कट लैंग्थ में नुक्सवाली को छोड़कर एम. एस. शीट कटिंग, 2.10 एम एस से कम तथा 25 एम से ऊपर वाली 5 एम एस के वर्गाकार से कम वाली हाई स्पीड स्टील राउन्ड, 3.3016 एम एस में कम वाले फ्लैट 4. 5000 रु. तक के लिए अप्रैल-मार्च 1972 की रैंड बुक के अनुसार निषेध तथा प्रतिबंधित को छोड़ कर पी एंड एम ऑर्जार के आयात के लिए आयात लाइसेंस संख्याएं पी/एस/1732230 मूल्य 24700 रु. तथा पी/एस/ 1732231 मूल्य 24700 रु. स्वीकृत किए गए थे। उन्होंने उपर्युक्त लाइसेंसों की अनुलिपि सीमाशुल्क कार्यसंबंधी प्रतियों के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस सीमाशुल्क प्राधिकारियों के पास बिना पंजीकृत करवाए और उनका उपयोग किए बिना ही खो गए हैं।

2. आवेदक ने अपने तर्क के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैंडबुक, 1972-73 की कंडिका 318(1) के अंतर्गत यथा अपेक्षित स्टाम्प कागज पर एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि मूल लाइसेंस (अनुलिपि प्रतियों) में अस्थानस्थ हो गए हैं।

3. अद्यतन यथा संशोधित आयात (नियंत्रण) आदेश 1955, दिनांक 7-12-1955 की धारा 9(सीसी) के अंतर्गत प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस संख्या 1732230 तथा 1732231 दिनांक 25-3-72 (केवल सीमाशुल्क कार्यसंबंधी प्रतियां) को रद्द करने का आदेश देता हूँ।

4. आवेदक को अब अनुलिपि सीमाशुल्क कार्यसंबंधी प्रतियां जारी करने के मामले पर आयात व्यापार नियंत्रण, नियम तथा क्रियाविधि, हैंड बुक, 1972-73 की कंडिका 318(1) के अनुसार विचार किया जाएगा।

[संख्या पी/आर-9(एन)/ए एम.72/ए यू.पी.बी/सी एल ए]

CANCELLATION ORDER

S.O. 112.—M/s. Raja Mechanical Works (Regd.), B-33, Industrial Estate Ludhiana were granted import licences No. P/S/1732230 for Rs. 24700 and P/S/1732231 for Rs. 24700 for the import of M. S. Sheet cuttings & defective sheets in cut length excluding all coated sheet cutting & Defective & 2. High Speed steel round below 5 mm square below 10MM and above 25MM, 3. Flat below 30x16MM & 4. P. & M. Tools other than banned and restricted as per AM-72 Red Book Vol. I upto Rs. 5000. They have applied for issue of duplicate Customs purpose copies of the licences on the ground that original licences have been lost/misplaced without having been utilized and registered with any Custom Authorities.

2. The applicant has filed an affidavit on stamped paper in support of their contention as required under para 318(1) of ITC Hand Book of Rules & Procedure, 1972-73. I am satisfied that the original licences (in duplicate) have been misplaced.

3. In exercise of the powers conferred on me under clause 9(cc) Import (Control) Order, 1955 dt. 7-12-55 as amended upto date, I order the cancellation of the licences No. 1732230 & 1732231 dt. 25-3-72 (Customs copies only).

4. The applicants case will now be considered for the issue of Customs copies in accordance with para 318(1) of ITC Hand Book of Rules & Procedure, 1972-73.

[File No. P/R-9(N) AM-72/AU. PB/CLA]

नई दिल्ली, 5 अक्टूबर, 1972

आदेश

का. आ. 113.—सर्वश्री ग्लोब व इंजी. वर्क्स (रजिस्टर्ड) मंडी रोड जलंधर सिटी को लाइसेंस के साथ संलग्न सूची के अनुसार बाल बैयरिंग्स आदि के आयात के लिए 8510 रु. का एक आइ. डी. ए. लाइसेंस सं. पी/एस/1693261 दिनांक 25-3-71 जिसे 30-6-72 तक पुनर्विध किया गया था स्वीकृत किया गया था। उन्होंने लाइसेंस की अनुलिपि सीमाशुल्क संबंधी प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क कार्यसंबंधी प्रति बिना किसी सीमाशुल्क प्राधिकारी के पास पंजीकृत करवाए और उसका बिलकुल उपयोग किए बिना ही खो गई है/अस्थानस्थ हो गई है।

2. अपने तर्क के समर्थन में आवेदक ने आयात व्यापार नियंत्रण नियम तथा क्रियाविधि, हैडबुक, 1972 की कंडिका 318(1) के अन्तर्गत यथा अपेक्षित स्टाम्प कागज पर एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि मूल सीमाशुल्क कार्यसंबंधी प्रति अस्थानस्थ हो गई है।

3. यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की धारा 9 (सी सी) के अंतर्गत प्रदत्त अधिकारों का प्रयोग करते हुए मैं लाइसेंस सं. पी/एस/1693261 की सीमाशुल्क कार्यसंबंधी प्रति को रद्द करने का आदेश देता हूँ।

4. आवेदक को अब अनुलिपि लाइसेंस जारी करने के मामले पर आयात व्यापार नियंत्रण नियम तथा क्रियाविधि, हैडबुक, 1972-73 की कंडिका 318(1) के अनुसार विचार किया जाएगा।

[संख्या पी/जे-58/ए एम.71/ए यू-पी बी/सीएमए]

डी. एस. मोरक्रिमा,
उप-मुख्य नियंत्रक,
कृते संयुक्त मुख्य नियंत्रक,

New Delhi, the 5th October, 1972

CANCELLATION ORDER

S.O. 113.—M/s. Globe Engineering Works (Regd.), Mandi Road, Jullundur City was granted I.D.A. licence No. P/S/1693261 dt. 25-3-71 for Rs. 8,510 Revalidated upto 30-6-1972 for the import of Ball Bearings etc. as per list attached. They have applied for issue of duplicate Customs purpose copy of the licence on the ground that the original Customs copy has been lost/misplaced without having been registered at any Custom Authority & un-utilized at all.

2. The applicant has filed an affidavit on stamped paper in support of their contention as required under para 318(1) ITC Hand Book of Rules and Procedure, 1972-73. I am satisfied that the original customs purpose copy has been misplaced.

3. In exercise of the powers conferred on me under clause 9(cc) of Imports (Control) Order, 1955, dated 7-12-55 as amended upto date, I order the cancellation of the Customs copy of the licence No. P/S/1693261.

4. The applicant's case will now be considered for the issue of duplicate licence in accordance with para 318(1) of I.T.C. Hand Book of Rules & Procedure, 1972-73.

[File No. P/G-58(N)/AM-71/AU. PB/CLA]

D. S. MORKRIMA, Dy. Chief Controller,
for Jr Chief Controller.

कलकत्ता, 13 अक्टूबर, 1972

आदेश

का. आ. 114.—विषय : 2970 रु के लिए जारी किए गए लाइसेंस संख्या पी/एस/1702123/सी/एक्सएक्स/40/सी/31-32 दिनांक 9-7-71 की सीमाशुल्क कार्यसंबंधी प्रति को रद्द करने और इसी संबंध में सामान्य लाइसेंस अनुदेश संख्या 10/67 दिनांक 23-3-69 के अनुसार अनुलिपि प्रति जारी करने का आदेश।

सर्वश्री मेटल परफोरेशन प्रा. लि., 177/1, डम-डम रोड, कलकत्ता-28 को 2970 रु. के लिए एक लाइसेंस संख्या पी/एस/1702123/सी/एक्सएक्स/40/सी/31-32, दिनांक 9-7-71 स्वीकृत किया गया था। उन्होंने उपर्युक्त लाइसेंस की अनुलिपि सीमाशुल्क कार्यसंबंधी प्रति के लिए इस आधार पर आवेदन किया है कि इसकी मूल-प्रति खो गई है/अस्थानस्थ हो गई है। आगे यह बताया गया है कि मूल लाइसेंस किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत नहीं करवाया गया था और लाइसेंस के पूरे मूल्य (यानी 2970 रु.) का बिलकुल उपयोग नहीं किया गया था।

इस तर्क के समर्थन में आवेदक ने यह बताते हुए एक शपथ-पत्र दाखिल किया है कि लाइसेंस की मूल सीमाशुल्क कार्यसंबंधी प्रति खो गई है/अस्थानस्थ हो गई है। मैं संतुष्ट हूँ कि लाइसेंस संख्या पी/एस/1702123/सी/एक्सएक्स/40/सी/31-32, दिनांक 9-7-71 मूल्य 2970 रु. की मूल सीमाशुल्क कार्यसंबंधी प्रति खो गई है/अस्थानस्थ हो गई है और निदेश देता हूँ कि आवेदक को इसी की अनुलिपि प्रति जारी की जानी चाहिए। लाइसेंस की मूल सीमाशुल्क कार्यसंबंधी प्रति रद्द की जाती है।

[सं. 17-1/पी/53/70-71/ए यू-4]

पी. सी. सेन, उप-मुख्य नियंत्रक

New Delhi, the 13th October, 1972

ORDER

S.O. 114.—M/s. Metal Perforation Pvt. Ltd. 177/1, Dum-Dum Rd., Calcutta-28 were granted licence No. P/S/1702123/C/XX/40/31-32, dt. 9-7-71 for Rs. 2970. They have applied for duplicate copy of the Customs purposes copy of the said licence on the ground that the original of the same has been lost/misplaced. It is further stated that the original licence has not been registered with any Customs Authority and the full value of the licence (i.e. Rs. 2970) remained unutilised.

In support of this contention the applicant has filed an affidavit to the effect that the original Customs purposes copy of the licence has been lost/misplaced. I am satisfied that the original Customs purposes copy of the licence No. P/S/1702123/C/XX/40/31-32 dt. 9-7-71 for Rs. 2970 has been lost/misplaced and directed that duplicate copy of the same should be issued to the applicant. The original Customs purposes copy of the licence is cancelled.

[No. 17-1/P/53/70-71/AU-IV]

P. C. SEN, Dy. Chief Controller.

कम्पनी कार्य विभाग

नई दिल्ली, 19 दिसंबर, 1972

का. आ. 115.—एकाधिकार एवं निर्बन्धनकारी व्यापार प्रथा अधिनियम, 1969 (1969 का 54) की धारा 26 की उप-धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा मैसर्स फर्टीप्लान्ट इंजीनियरिंग कम्पनी प्रा. लि. के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र संख्या 688/1971 दिनांक 2 जनवरी, 1971) के निस्तीकरण को अधिसूचित करती है।

[संख्या 22/10/71-एम (2)]

सु. बलरामन, अवर सचिव

DEPTT. OF COMPANY AFFAIRS

New Delhi, the 19th December, 1972

S.O. 115.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practice Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of registration of M/s. FERTIPLANT ENGINEERING CO. PVT. LTD. under the said Act (Certificate of Registration No. 688/1971 dated the 2nd January, 1971).

[No. 22/10/71-M. (II)].

S. BALARAMAN, Under Secy.

इस्पात और खान मंत्रालय

(खान विभाग)

नई दिल्ली, 16 दिसम्बर 1972

शुद्धि पत्र

का. आ. 116.—भारत के राजपत्र, असाधारण, भाग 2, खण्ड 3, उपखण्ड (2), तारीख 2 मई, 1972 के पृष्ठ 906 से 914/5 तक में प्रकाशित, भारत सरकार, इस्पात और खान मंत्रालय, खान विभाग की अधिसूचना संख्या का. आ. 331 (ई), तारीख 2 मई, 1972 में :—

- (i) पृष्ठ संख्या 906 पर पंक्ति 5 में "331-अ" के स्थान पर "331-ई" पढ़ा जाए।
- (ii) पृष्ठ संख्या 907 पर पंक्ति 12 में "बनिदेश" के स्थान पर "बनिदेश" पढ़ा जाए।
- (iii) पृष्ठ संख्या 912 पर पंक्ति 16 में "व्याम" के स्थान पर "व्याम" पढ़ा जाए तथा पंक्ति 18 में "11,299" के स्थान पर "11,298" पढ़ा जाए।
- (iv) पृष्ठ संख्या 914/4 पर पंक्ति 14 में "1. 1-1 : 4" के स्थान पर "1. 1-1 : 4" पढ़ा जाए।

[फा. सं. 5(127)/71-धातु-1]

श्री. आर. भल्ला, अवर सचिव

MINISTRY OF STEEL AND MINES
(Department of Mines)

New Delhi, the 16th December, 1972

ERRATUM

S.O. 116.—In the notification of the Government of India (Bharat Sarkar) in the Ministry of Steel and Mines (Ispat Aur Khan Mantralaya), Department of Mines (Khan Vibhag), No. S.O. 331(E), dated the 2nd May, 1972, published at pages 899 to 905, of the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 2nd May, 1972, :—

(1) at page 899 (i) in line (a) after the word "including", insert the word "its";

(b) for the word "manufactured" read "manufactures";

(ii) in line 15, for "(Initpnc.)" read "(IS specification)";

(iii) in lines 16, 17 and 18, under column 1 of the Schedule, for the letters, words, figures and bracket

"EC Grade 1" }
"EC Grade 2" }
IC }

read the letters, words, figures and bracket

"EC Grade 1" }
"EC Grade 2" }
IC }

(2) at page 900—(i) in line 23 for the figures "2.1", read the figures "2.1";

(ii) in line 32, under column 1, for the figures "2.06" read the figures "2.03";

(iii) in line 33, under column 3, for the figures "8866" read the figures "8806";

(iv) in line 36, under column 1, for the figures "0.9" read the figures "0.91";

(v) in lines 30 to 39, read the figures and brackets between columns 2 and 3 as under column 2;

(3) at page 902—(i) in line 5, under column 3, for the figures "2438-30-48" read the figures "2438-3048";

(ii) in line 10, for the word "CHEQUYERED" read the word "CHEQUERED";

(iii) in line 23, under column 3, for the figures "8,900" read the figures "8,960";

(4) at page 903—(i) in line 43, under column 1, insert the brackets and letters "(mm)";

(ii) in lines 44 to 59, read the figures and brackets between columns 2 and 3, as under column 2;

(iii) in line 58, under column 4, for the figures "9524" read the figures "9534";

(iv) in line 57, under column 6, for the figures "9647" read the figures "9674";

(5) at page 904—(i) in line 11, for the bracket, word and letters "(Temper O. & W.)" read the brackets, word and letters "(Temper O & W.)";

(ii) in line 41, under column 2, insert the brackets and letters "(mm)".

[No. F. 5(127)/71-Met.I.]

B. R. BHALLA, Under Secy.

नई दिल्ली, 28 दिसम्बर, 1972

का. आ. 117.—यतः केन्द्रीय सरकार को ऐसा प्रतीत होता है कि इससे उपायध्व अनुसूची में वर्णित भूमि में से कायला अभिप्राप्त होने की संभावना है ;

अतः अब, कायला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त

शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उसमें कोयले के लिए पूर्वाधान करने के अपने आशय की सूचना देती है।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक का निरीक्षण, राष्ट्रीय कोयला विकास निगम लिमिटेड (राजस्व अनुभाग), दरभंगा हाउस, रांची के कार्यालय अथवा कलक्टर, अम्बिकापुर, जिला सुरगुजा (मध्य प्रदेश) के कार्यालय में अथवा कोयला नियंत्रक 1, कार्डीसल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति कोयले वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट समस्त मानचित्र, चार्ट और अन्य दस्तावेज, इस अधिसूचना के प्रकाशन की तारीख से 90 दिन के भीतर राजस्व अधिकारी, राष्ट्रीय कोयला विकास निगम लिमिटेड, दरभंगा हाउस, रांची को परिदत्त करेंगे।

डाहिंग सं० राजस्व/90/72
तारीख 30-10-72

(पूर्वाधान के लिये अधिसूचित क्षेत्र)

अनुसूची

भटगांव खण्ड

(उत्तरी बिश्रामपुर कोयला क्षेत्र)

क्रम सं०	तहसील	तहसील संख्या	जिला	क्षेत्र	टिप्पणियाँ
1. भटगांव	सुरजपुर	11	सुरगुजा	भाग	
2. बनियातीकुरी	"	109	"	"	"
3. तेलगांव	"	13	"	"	"
4. दुग्गा	"	14	"	"	"
5. बरान्धी	"	16	"	"	"
6. कपसारा	"	15	"	"	"
7. बिशही	"	12	"	"	"

कुल क्षेत्र : 4148.00 एकड़ (लगभग)

सीमा वर्णन श्रवण 1678.61 हेक्टेयर (लगभग)

क-ख-ग लाइन बनियातीकुरी, भटगांव, बिशही और कपसारा ग्रामों से होकर गुजरती है और बिन्दु 'ग' पर मिलती है।

ग-घ-ङ-च लाइन कपसारा और बरान्धी ग्रामों से होकर गुजरती है और 'च' बिन्दु पर मिलती है।

घ-ङ-ज-झ लाइन बरान्धी, दुग्गा और तेलगांव ग्रामों से होकर गुजरती है और 'झ' बिन्दु पर मिलती है।

झ-ञ-ट-ठ-ड-क लाइन तेलगांव, भटगांव, और बनियातीकुरी ग्रामों से होकर गुजरती है और प्रारम्भिक बिन्दु 'क' पर मिलती है।

[सं. 25(12)/72-सी 5]

ए० एम० देशपांडे, भवन सचिव

New Delhi, the 28th December, 1972

S. O. 117—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed:

NOW, THEREFORE, in exercise of the powers conferred by sub-Section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) of the Central Government hereby gives notice of its intention to prospect for coal therein.

30 G of I—3

The plan of the area covered by this notification can be inspected at the office of the National Coal Development Corporation Limited (Revenue Section) Darbhanga House, Ranchi or at the office of the Collector, Ambikapur, District Surguja (Madhya Pradesh) or at the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in Sub-Section (7) of section 13 of the Coal bearing Areas (Acquisition and Development) Act, 1957 to the Revenue Officer, National Coal Development Corporation Limited, Darbhanga House, Ranchi, within 90 (Ninety) days from the date of publication of this notification.

DR No. RSV/90/72

Dated 30-10-72

(showing lands notified for prospecting)

SCHEDULE
Bhatgaon Block
(North Bishrampur Coalfield)

Sl. Village No.	Tahsil	Tahsil No.	Distri-ct	Area Re-marks
1. Bhatganwan	Surajpur	11	Surguja	Part
2. Baniyatikuri	"	109	"	"
3. Telaganwan	"	13	"	"
4. Dugga	"	14	"	"
5. Barandhi	"	16	"	"
6. Kapsara	"	15	"	"
7. Bishai	"	12	"	"

Total area:— 4148.00 Acres (Approximately) Or
1678.61 Hectars (Approximately).

BOUNDARY DESCRIPTION

A-B-C Line pass through villages Baniyathikuri, Bhatganwan, Bishai and Kapsara and meet at point 'C'.

C-D-E-F Lines pass through villages Kapsara and Barandhi and meet at point 'F'.

F-G-H-I Lines pass through villages Barandhi, Dugga and Telaganwan and meet at point 'I'.

I-J-K-L-M-A Lines pass through villages Telaganwan, Bhatganwan and Baniyatikuri and meet at starting point 'A'.

[No. 25(12)/72-C5.]

A. S. DESHPANDE, Under Secretary

औद्योगिक विकास मंत्रालय

नई दिल्ली, दिसम्बर, 1972

आवृत्ति

का. आ. 118 [आई. डी. आर. ए.].—उद्योग (विकास तथा नियंत्रण) अधिनियम, 1951 (1951 का 65) की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एचम विकास परिषद् (कार्याधीन) नियम, 1952 के नियम 2, 4 और 5 के साथ पढ़ते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को विद्युत ऊर्जा (घरेलू काम में आने वाले मोटरों तथा पैनल यंत्रों को छोड़कर) का जनित्रण, पारिवर्ण और वितरण करने के लिये बिजली की मोटरों और मशीनों तथा उपकरणों के निर्माण अथवा उत्पादनरत अनुसूचित उद्योगों की विकास परिषद् का, जिसे भारत सरकार के औद्योगिक विकास मंत्रालय के आदेश सं. का. आ./आई. डी. आर. ए./6-5 दिनांक 25 नवम्बर 1972 के द्वारा

पुनर्गठित और स्थापित किया गया था, सदस्य नियुक्त करती हैं :—

- (1) श्री यार्ड, एस. बंकटेश्वर, उप महानिदेशक भारतीय मानक संस्था, मानक भवन, नई दिल्ली।
- (2) श्री बी. एस. गुप्त, निदेशक, वैद्युत इंजीनियरी, रेल मंत्रालय (रेलवे बोर्ड), नई दिल्ली।
- (3) श्री एस. एन. नरसिंहराव, प्रमुख विजली अभियंता, भाभा परमाणु अनुसंधान केंद्र, परमाणु ऊर्जा आयोग, छत्रपति शिवाजी महाराज मार्ग, बम्बई-1।

केंद्रीय सरकार यह भी निदेश देती है कि उक्त आदेश में निम्नीलिखित संशोधन किया जाएगा :—

- (1) श्री जे. देसाई से संबंधित प्रविष्टि सं 17 के पश्चात् निम्नीलिखित प्रविष्टियां निविष्ट की जाएगी, अर्थात्:—
18. श्री यार्ड, एस. बंकटेश्वर, उप-महानिदेशक, भारतीय मानक संस्था, मानक भवन, नई दिल्ली।
19. श्री बी. एस. गुप्ता, निदेशक, वैद्युत इंजीनियरी, रेल मंत्रालय (रेलवे बोर्ड), रेल भवन, नई दिल्ली।
20. श्री एस. एन. नरसिंहराव, प्रमुख विजली अभियंता, भाभा परमाणु अनुसंधान केंद्र, परमाणु ऊर्जा आयोग, छत्रपति शिवाजी महाराज मार्ग, बम्बई-1.

[सं. ई.ई.आई.19(18)/70]

आर. कृष्णस्वामी, उप सचिव

भारतीय मानक संस्था

नई दिल्ली, 2 जनवरी, 1973

सां. कां. निं. 119:—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिन्दु) विनियम 1955 के विनियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सी/एम/एल-988, सी/एम/एल/1367 और सी/एम/एल/2961 जिनके ज़ोरे नीचे दिए गए हैं, कंपनी के संविधान में परिवर्तन हो जाने के कारण 16 नवम्बर, 1972 से रद्द कर दिए गए हैं :—

लाइसेंस सं० और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के प्रधीन वस्तु/प्रक्रिया	तत्संबंधी भारतीय मानक
सी० एम०/एल०-988, 31-12-1964	मैसर्स एम्को जनरल इंडस्ट्रीज, 95/1 कासीपुर रोड, कलकत्ता-12 (पं० बंगाल) इनका कार्यालय : बैलेजली मैन्शंस 44-ए रफी अहमद किदवाई रोड, कलकत्ता-16।	अंग्रेजी टट्टियों के लिए प्लास्टिक की सीट और डकन (फेनोलिक और यूगिया फारमालाइट हाइड) बांड (एम्कोज)	IS: 2548-1967 अंग्रेजी टट्टियों के लिए प्लास्टिक की सीटें और डकन की विशिष्टि (दूसरा पुनरीक्षण)।
सी० एम०/एल०-1367, 16-12-1966	मैसर्स एम्को जनरल इंडस्ट्रीज, 6/1 नबाव दिवावर जंग रोड कासीपुर, कलकत्ता-2 इनका कार्यालय : 44 ए रफी अहमद किदवाई रोड, कलकत्ता-16	समस्त दाब रेटिंग तथा बाहरी व्यास 50 मिमी और उतने तक के पानी की सप्लाई के लिए अल्प घनत्व वाले पोलिइथाइलीन पाइप बांड : एम्कोथीन।	IS: 3076-1968 पानी की सप्लाई के लिए अल्प घनत्व वाले पोलिइथाइलीन पाइप (पहला पुनरीक्षण)
सी०/एम०/एल०-2961, 10-3-1972	"	पानी भरने के लिए उच्च घनत्व वाले पोलिइथाइलीन पाइप :— (1) 315 मिमी तक और उतने तक बाहरी व्यास और 2.5 कि ग्रा फ/से मी ² दाब रेटिंग वाले। (2) 160 मिमी तक बाहरी व्यास और 4 कि ग्रा फ/से मी ² दाब रेटिंग वाले। (3) 63 मिमी बाहरी व्यास और 8 कि ग्रा फ/से मी ² दाब रेटिंग वाले छाप : एम्कोथीन।	IS: 4984-1972 पानी की सप्लाई के लिए उच्च घनत्व वाले पोलिइथाइलीन के पाइप (पहला पुनरीक्षण)

MINISTRY OF INDUSTRIAL DEVELOPMENT

New Delhi, the 28th December, 1972

ORDER

S.O. 118 [IDRA].—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 2, 4, and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints the following persons to be members of the Development Council for the scheduled industries engaged in the manufacture of production of electric motors and of machinery and equipment for the generation, transmission and distribution of electric energy (excluding house service meters and panel instruments) which was reconstituted and established by Order No. S.O./IDRA/6/5, dated 25th November, 1972 of the Government of India, Ministry of Industrial Development:—

1. Shri Y. S. Venkateswaran, Deputy Director General, Indian Standards Institution, Manak Bhavan, New Delhi-1.
2. Shri V. S. Gupta, Director, Electrical Engineering, Ministry of Railways (Railway Board), New Delhi.
3. Shri S. N. Narasinga Rao, Chief Electrical Engineering, Bhabha Atomic Research Centre, Atomic Energy Commission, Chhatrapati Shivaji Maharaj Marg, Bombay-1.

The Central Government also directs that the following amendments shall be made in the said order:—

(1) After entry No. 17 relating to Shri J. Desai, the following entries shall be inserted, namely:—

18. Shri Y. S. Venkateswaran, Deputy Director General, Indian Standards Institution, Manak Bhavan, New Delhi.
19. Shri V. S. Gupta, Director, Electrical Engineering, Ministry of Railways (Railway Board), Rail Bhavan, New Delhi.
20. Shri S. N. Narasinga Rao, Chief Electrical Engineering, Bhabha Atomic Research Centre, Atomic Energy Commission, Chhatrapati Shivaji Maharaj Marg, Bombay-1.

[No. EEL-19(18)/72]

R. KRISHNASWAMY, Deputy Secy.

(Department of Industrial Development)

New Delhi, the 2 January, 1973

S.O. 119— In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulations 1955, as amended from time to time, the Indian Standards Institution hereby notifies that licences No. CM/L-988, CM/L-1367 and CM/L-2961, particulars of which are given below, have been cancelled, with effect from 16 November 1972 because of change in the Constitution of the company :

Licence No. and Date	Name and Address of the licensee	Article/Process covered by the licence cancelled	Relevant Indian Standard
CM/L-988, 31-12-1964	M/s. Emco General Industries 95/1 Cossipore Road, Calcutta-12 (West Bengal) having their office at 'Wellesley Mansions' 44A, Rafi Ahmed Kidwai Road, Calcutta-16.	Plastic water-closet seats and covers (Phenolic and Urea form aldehyde) Brand : 'EMCOS'	IS : 2548-1967 Specification for Plastic water-closet seats and covers (Second Revision)
CM/L-1367, 16-12-1966	M/s. Emco General Industries, 6/1 Nawab Dilawar Jung Road, Cossipore, Calcutta-2 having their office at 44A, Rafi, Ahmed Kidwai Road, Calcutta-16.	Low density polyethylene pipes for potable water supplies of all pressure ratings & outside diameters up to and including 50 mm. Brand : 'EMCOTHIENE'	IS : 3076-1968 Specification for low density polyethylene pipes for potable water supplies (First Revision)
CM/L-2961, 10-3-1972	-do-	High density polyethylene pipes for potable water supplies : (i) upto & including 315 mm. outside dia and of pressure rating 2.5 Kgf/cm ² ; (ii) upto & including 160 mm. outside dia and of pressure rating 4 Kgf/cm ² ; and (iii) upto and including 63 mm. outside dia and of pressure rating 6 Kgf/cm ² Brand : 'EMCOTHIENE'	IS : 4984-1972 Specification for High density polyethylene pipes for potable water supplies (First Revision)

[No. CMD/55 : 8988]

नई दिल्ली दिनांक 3 जनवरी 1973

सा० का० नि० 120—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम 1955 के विनियम 3 के उपविनियम (2) और (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि नीचे अनुसूची में जिन भारतीय मानकों के ध्यौरे दिए गए हैं वे 16 नवम्बर से 30 नवम्बर 1971 की अवधि में निर्धारित किए गए हैं :—

अनुसूची

क्रम संख्या	निर्धारित भारतीय मानक की पद-संख्या और शीर्षक	नए भारतीय मानक द्वारा रद्द हुए भारतीय मानक यदि हों, की पद-संख्या और शीर्षक	संक्षिप्त विवरण
(1)	(2)	(3)	(4)
1.	IS: 363—1970 सांकलों और कुंडों की बिजिप्ति (दूसरा पुनरीक्षण)।	IS: 363—1961 सांकलों और कुंडों की बिजिप्ति (पुनरीक्षित)।	इन मानक में सांकलों और कुंडों में लगने वाली सामग्री, माप निर्माण और फिनिश सम्बन्धी अपेक्षाएं दी गई हैं। (मूल्य रु० 4.00)।
2.	IS: 789—1971 ड्राइंग की ऋतुसह काली स्याही की बिजिप्ति (पहला पुनरीक्षण)।	IS: 789—1955 ड्राइंग की ऋतुसह काली स्याही की बिजिप्ति।	इस मानक में ड्राइंग की ऋतुसह काली स्याही की बानगी सेने तथा परीक्षण की पद्धतियां और अपेक्षाएं निर्धारित की गई हैं। (मूल्य रु० 3.50)।
3.	IS: 814—1970 संरचना इस्पात की धातु आर्क वैल्डिंग के लिए ढके इलेक्ट्रोडों की बिजिप्ति (तीसरा पुनरीक्षण)।	1. IS: 814—1967 मृदु इस्पात की धातु आर्क वैल्डिंग के लिए ढके इलेक्ट्रोडों की बिजिप्ति (दूसरा पुनरीक्षण)। 2. IS: 1442—1964 उच्च तनाव संरचना इस्पात की धातु आर्क वैल्डिंग के लिए ढके इलेक्ट्रोडों की बिजिप्ति (पुनरीक्षित)।	इस बिजिप्ति में 1 मिमी और ऊपर की साक्ष्यों के ढके इलेक्ट्रोडों के दो वर्गों के विषय में अपेक्षाएं दी गई हैं। (मूल्य रु० 9.50)।

* भा मा संस्था प्रमाणन योजना के लिए

IS: 814—1967, 31 दिसम्बर, 1971 तक

IS: 814—1970 के साथ ही लागू रहेगा।

(1)	(2)	(3)	(4)
4. IS: 1172--1971 जल वितरण विकास और सफाई सम्बन्धी मूल अपेक्षाओं की संहिता (दूसरा पुनरीक्षण)	IS: 1172--1963 जल वितरण विकास और सफाई सम्बन्धी मूल अपेक्षाओं की संहिता पुनरीक्षित	इस मानक में शहरी इलाकों की रिहायशी, व्यापारिक, औद्योगिक और अन्य प्रकार की इमारतों जिनमें रेलवे प्लेट फार्म, बस अड्डे और बाजार भी आते हैं, के लिये जल वितरण, जल निकास और सफाई सम्बन्धी मूलभूत अपेक्षाएं निर्धारित की गई हैं। (मूल्य रु० 6.00)।	
5. IS: 1322--1970 जलरोक तथा नमीरोक बनाने के लिए बिट्यूमिनी नमदों की विनिष्टि (दूसरा पुनरीक्षण)।	IS: 1322--1965 जलरोक तथा नमीरोक बनाने के बिट्यूमिनी नमदों की विनिष्टि (पुनरीक्षित)।	इस मानक में जलरोक तथा नमीरोक बनाने के काम आनेवाले सिखाए बिट्यूमिनी नमदों और अपने-आप फिनिशकृत बिट्यूमिनी नमदों के बारे में अपेक्षाएं दी गई हैं। (मूल्य रु० 6.00)।	
6. IS: 1477 (भाग 1)--1971 इमारतों में लोह धातुओं पर रंग-रोगन करने की रीति संहिता : भाग 1 पूर्ण उपचार (पहला पुनरीक्षण)।	IS: 1477 (भाग 1)--1959 इमारतों में इस्पात/लोह धातुओं पर फिनिश देने की रीति संहिता : रंग-रोगन करना तथा सम्बद्ध फिनिश भाग 1 किया और कारीगरी।	इस मानक में सामान्य वायुमंडलीय स्थितियों में इमारतों में लगे लोहे की मत्तों पर पूर्ण उपचार देने के व्यौरे दिए गए हैं। (मूल्य रु० 7.00)।	
7. IS: 1592--1970 एसबेस्टस सीमेंट के दाब पाइपों की विनिष्टि (पहला पुनरीक्षण)।	IS: 1592--1960 एसबेस्टस सीमेंट के दाब पाइपों की विनिष्टि।	इस मानक में एसबेस्टस सीमेंट दाब पाइपों के सम्बन्ध में निर्माण, वर्गीकरण, माप और स्वीकृति परीक्षण सम्बन्धी अपेक्षाएं दी गई हैं। (मूल्य रु० 4.00)।	
8. IS: 1856--1970 खानों में धुलाई कार्यों के लिए प्रयुक्त इस्पात के तार के रस्सों की विनिष्टि (पहला पुनरीक्षण)।	IS: 1856--1961 खानों में धुलाई कार्यों के लिए प्रयुक्त इस्पात के तार के रस्सों की विनिष्टि।	इस मानक में खानों में धुलाई के काम में आने वाले तार के रस्सों को लिया गया है। इनमें गोल और त्रिकोणी लोड़ों की बनावट वाले रस्सों को लिया गया है जिसमें से हरेक के दो वर्ग किए गए हैं। (मूल्य रु० 6.00)।	
9. IS: 2223--1971 फ्लैज लगे एसी प्रेरण मोटरों के माप (पहला पुनरीक्षण)।	IS: 2223--1971 फ्लैज लगे एसी प्रेरण मोटरों के माप।	इस मानक में फ्लैज चड़े सुरक्षित अथवा पूर्णतः बंद पंखे से ठंडे होने वाले एसी प्रेरण मोटरों के सम्बन्ध में माप सम्बन्धी अपेक्षाएं दी गई हैं। ये माप उन मोटरों के माप के समकक्ष हैं जिनमें धुरों की ऊंचाई 56 मिमी से 315 मिमी होती है (देखिए IS: 996--1964 और IS: 1231--1967) और जो सामान्य उपयोग के लिए होते हैं तथा जिनके शाफ्ट पड़े तथा खड़ी स्थिति में होते हैं। (मूल्य रु० 5.00)।	
10. IS: 2388--1971 खांचेदार ग्रव पेशों की विनिष्टि (पहला पुनरीक्षण)।	IS: 2388--1963 खांचेदार ग्रव पेशों की विनिष्टि।	इस मानक में 1 से 24 मिमी (एस 1 से एक 24) की साइज के खांचेदार ग्रव पेशों के निपस में अपेक्षाएं दी गई हैं। (मूल्य रु० 5.00)।	
11. IS: 2429 (भाग 1)--1970 इस्पात की छोटी कड़ी वाली गोल चेन (विद्युत् बट बेल्टकृत) ग्रेड 30 की विनिष्टि भाग 1 भार उठाने के कार्यों के लिए गैर अनुसंधानित चेन (दूसरा पुनरीक्षण)।	IS: 2429--1967 उठाने के कार्यों के लिए छोटी कड़ी वाली अनुसंधानित चेन, ग्रेड 30, की विनिष्टि (पहला पुनरीक्षण)।	इस मानक में उठाने के कार्यों वाली गैर अनुसंधानित ग्रेड 30 की चेनों के बारे में अपेक्षाएं दी गई हैं। ये चेने विद्युत् प्रतिरोधी अथवा पलैश बट बेल्टकृत गोल छोटी कड़ी वाली इस्पात की सभी प्रकार से परीक्षित और ताप उपचारित और IS: 5610--1970 में दी अपेक्षाओं के अनुरूप होती हैं। इस मानक में 6.3 मिमी से 45 मिमी तक की साइजें ली गई हैं। (मूल्य रु० 4.00.)	
12. IS: 2597 (भाग 5)--1971 इलेक्ट्रानिक वाल्वों के उपयोग की रीति संहिता भाग 5 रेक्टोफायर और थाइरेट्रान।	---	इस मानक में रेक्टोफायर और थाइरेट्रान के उपयोग सम्बन्धी अतिरिक्त सिफारिशें दी गई हैं। सामान्य पक्ष IS: 2597 (भाग 1)--1964 में दिए जा चुके हैं। (मूल्य रु० 5.00)।	
13. IS: 3224-1971 संपीडित गैस सिलिंडरों के फिटिंग की विनिष्टि (पहला पुनरीक्षण)	IS: 3224-1966 संपीडित गैस सिलिंडरों के फिटिंग की विनिष्टि (पहला पुनरीक्षण)	इस मानक में संपीडित द्रवित अथवा धुली गैसों के सिलिंडरों के वाल्व फिटिंगों की सामग्री तथा माप संबंधी अपेक्षाएं और वाल्व के कैपसूल के माप दिए गए हैं। इस में गावदुम तने वाले वाल्व ही लिए गए हैं। (मूल्य रु० 7.50)	

(1)	(2)	(3)	(4)
14.	IS:3564-1970 डोर क्लोजर (द्वय नियंत्रित) की विशिष्टि (पहला पुनरीक्षण)	IS:3564-1966 डोर क्लोजर (द्वय नियंत्रित) की विशिष्टि (पहला पुनरीक्षण)	इस मानक में खड़े कठजों से जड़े एक तरफ को खुलने वाले 80 कि०ग्रा० से अधिक बजन वाले दरवाजों के डोर क्लोजरों के बारे में अपेक्षाएं दी गई हैं (मूल्य रु० 4.00)
15.	IS:5555-1970 धातुओं के हवा पानी में संश्लेषण के क्षेत्रीय अध्ययन के लिए विशिष्ट संहिता।	---	इस संहिता में धातुओं और मिश्रधातुओं के संश्लेषण और दूषण संबंधी आंकड़े इकट्ठा करने के लिये भीतर और खुले में उनकी रखरखाव परीक्षण करने की विधि दी गई है। ऐसे लेकर 'ई' तक परिशिष्टों में वायुमंडलीय गंधक डाइऑक्साइड, लवणता, वायु दूषण, ठोस सामग्री, ताप, आद्रता, वर्षा और ओस की मात्रा निकालने की पद्धतियां दी गई हैं। (मूल्य रु० 9.50)
16.	IS:3807 (भाग 3) -1971 लकड़ी के फर्नीचर के पारदर्शी फिनिशों की परीक्षण पद्धति भाग 3 तेल और बसा के धब्बों के प्रति प्रतिरोधिता	---	इस मानक में लकड़ी पर फिनिश देने की पद्धति की सतह पर तेल और बसा के धब्बों के प्रति प्रतिरोधिता ज्ञान करने की परीक्षण पद्धति दी है। यह परीक्षण अनेक फिनिशदायी प्रणालियों की तुलना करने अथवा यह देखने के लिए सफाई का माप एकसार किस्म का आ रखा है जैसे काम आता है। (मूल्य रु० 2.00)
17.	IS:5878 (भाग 1) -1971 सुरंगों के निर्माण की रीति संहिता भाग 1 परिणुता सर्वेक्षण और निशान बंदी।	---	इस मानक में सुरंगों के परिणुद्धता सर्वेक्षण और निशान-बंदी के बारे में सिफारिशें दी गई हैं। (मूल्य रु० 7.00)
18.	IS:5897-1970 एल्यूमिनियम और एल्यू-मिनियम मिश्रधातु की वेल्डिंग छड़ और तार, मैगनीशियम मिश्रधातु की वेल्डिंग छड़ की विशिष्टि	---	इस मानक में अभ्रिय गैस टंग्स्टन आर्क वेल्डिंग अथवा गैस मेटल आर्क वेल्डिंग विधियों द्वारा एल्यूमिनियम और एल्यूमिनियम मिश्रधातुओं की वेल्डिंग के लिए खुले ठोस पूरक छड़ों और तारों तथा मैगनीशियम मिश्रधातु की वेल्डिंग के लिए पूरक छड़ों के लिए अपेक्षाएं दी गई हैं। इसमें पूरक छड़ों और तारों की रसायनिक रचना भी दी है। (मूल्य रु० 6.00)
19.	IS:5745-1970 अजल वायु दाब मापी की विशिष्टि	---	इस मानक में समुद्र से 3000 मीटर की ऊंचाई पर तथा जलयानों पर काम देने के उपयुक्त खुले पैमाने वाले अजल वायुदाबमापी के विषय में अपेक्षाएं दी गई हैं। (मूल्य रु० 3.50)
20.	IS:5967-1969 लकड़ी की मेजों की विशिष्टि	---	इस मानक में सामान्य कार्यों के लिए प्रयुक्त काम देने तथा मजबूती सम्बन्धी अपेक्षाओं की जांच करने तथा उनकी गुणात्मक परख के लिए परीक्षण पद्धतियां दी गई हैं। (मूल्य रु० 4.00)
21.	IS:5977-1971 स्वचल गाड़ियों के डी सी जनित्रों (डाइनमों) के रेग्युलेटरों की विशिष्टि	---	इस मानक में स्वचल गाड़ियों में डी सी जेनरेटरों के साथ काम आने वाले 6,12 और 24 बोल्ट के डीन एलीमेन्ट वाले रेग्युलेटर के बारे में मूलभूत मशीनी और भौतिक अपेक्षाएं तथा परीक्षण पद्धतियां दी गई हैं। (मूल्य रु० 2.50)
22.	IS:5994-1970 खेती के ट्रैक्टरों की परीक्षण संहिता।	---	यह संहिता बड़े पैमाने पर तैयार ट्रैक्टरों पर लागू होती है। आयातित ट्रैक्टरों और प्रोटोटाइप ट्रैक्टरों में जहां तक मशीन में सामंजस्य और सगत परीक्षणों का प्रश्न है इसके लिए निर्माताओं और परीक्षण केन्द्र के बीच सहमति से ही विवेक परीक्षण किए जाने चाहिये। (मूल्य रु० 10.50)

1	2	3	4
23.	IS:6026-1972 हाथ से बजने वाले साहरन की विशिष्टि	---	इस विशिष्टि में हाथ से बजने वाले साहरनों की शक्ति, सामग्री डिजाइन निर्माण कार्यप्रवृत्ता और परीक्षण सम्बन्धी अपेक्षाएं दी गई हैं। (मूल्य रु० 5.50)
24.	IS:6041-1971 आटाक्लेवकृत कोषीय कंश्रीट के ग्लाकों की बिनाई की रीति संहिता	---	इस मानक में IS:5482-1969 के अनुरूप आटा-क्लेवकृत कोषीय कंश्रीट ग्लाकों से बनी भारवाही दीवारों और अभारवाही दीवारों के निर्माण के बारे में अपेक्षाएं दी गई हैं। (मूल्य रु० 5.50)
25.	IS:6055-1970 मांड देने के कार्य में प्रयुक्त फलालेन की विशिष्टि।	---	इस विशिष्टि में मांड देने के कार्य में प्रयुक्त फलालेन के बारे में अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
26.	IS:6067-1971 दमकल के लिए पानी के टेण्डर टाइप एक्स की विशिष्टि।	---	इस मानक में दमकल के लिए एक्स टाइप के पानी के टेण्डर के बारे में सामग्री डिजाइन और निर्माण कारीगरी और फिनिश, सहायक, सामान तथा स्वीकृति परीक्षणों सम्बन्धी अपेक्षाएं दी गई हैं। (मूल्य रु० 7.50)
27.	IS:6091-1971 मशीन जिग रीमरों की विशिष्टि ^२	IS:1836-1961 रीमरों की विशिष्टि	इस मानक में मशीन जिग रीमरों के माप और अपेक्षाएं दी गई हैं। (मूल्य रु० 5.00)
28.	IS:6096-1971 35-मिमी चलचित्र फिल्म प्रोजेक्टरों के स्प्रोकेट के माप	---	इस मानक में IS:6085-1971, 35-मिमी चलचित्र फिल्म, के माप, में दिये किसी भी प्रकार की छिद्र प्रणाली के साथ काम आने के उपयुक्त 16-दांतों वाले आंतरालिक स्प्रोकेट और 16-24, और 32-दांतों वाले फीड और होल्डबैक स्प्रोकेटों के माप निर्धारित किए गए हैं। (मूल्य रु० 3.00)
29.	IS:6108-1971 खाने के तिल के आटे (घोलकों द्वारा प्राप्त) की विशिष्टि	---	इस मानक में घोलकों द्वारा प्राप्त खाने के तिल के आटे के विषय में बानगी लेने और परीक्षण की पद्धतियाँ और अपेक्षाएँ दी गई हैं। (मूल्य रु० 3.50)
30.	IS:6111-1971 मूलाशय के क्यूरेट (चूषणनुमा) की विशिष्टि	---	यह मानक मफेद तिल के आटे पर ही लागू होता है इस मानक में दो साइजों के मूलाशय के कुठित क्यूरेट (चूषणनुमा) के बारे में माप और अपेक्षाएँ दी गई हैं। (मूल्य रु० 3.00)
31.	IS:6114-1971 मूलाशय बुलसेलम फॉर्सेस की विशिष्टि	---	इस मानक में मूलाशय के बुलसेलम फॉर्सेस के बारे में माप सम्बन्धी तथा अन्य अपेक्षाएँ दी गई हैं। (मूल्य रु० 3.00)
32.	IS:6123-1971 जमी हुई सियर मछली (स्कामबेरोमोरस प्रजाति) की विशिष्टि	---	इस मानक में जमी हुई सियर मछली के बारे में बानगी लेने तथा परीक्षण की पद्धतियाँ तथा अपेक्षाएँ दी गई हैं। (मूल्य रु० 2.50)
33.	IS:6124-1971 ऊत का लहरियापन विकासने की पद्धति	---	इस मानक में गाँठ, बोर, रेर अथवा रोमों के कारण पड़ गये लहरियापन नापने की पद्धति दी गई है। (मूल्य रु० 2.00)
34.	IS:6133 (भाग 1) -1971 दूरसंचारण तथा माप उपकरणों में प्रयुक्त दाबविद्युत फिल्टरों की विशिष्टि भाग 1 सामान्य अपेक्षाएँ और परीक्षण	---	इस मानक में दूर संचारण तथा माप उपकरणों में प्रयुक्त दाबविद्युत फिल्टरों के विषय में सामान्य अपेक्षाएँ तथा परीक्षण पद्धतियाँ दी गई हैं। (मूल्य रु० 5.50)
35.	SI:6139-1971 सामान्य कागजों के लिये फोटोग्राफी कागज के साइज	---	इस मानक में सामान्य कागजों पास्टकार्ड सामग्री को छोड़कर पाजीटिव फोटोग्राफी कागज के साइज और छूटें तथा कागजों के पैकेजों पर सूचनांकन की पद्धतियाँ दी गई हैं। (मूल्य रु० 2.00)

*भा गा संस्था प्रमाणन मुहर योजना के लिये IS:6091-1971, 1 फरवरी 1972 से लागू होगा और IS:1836-1961 के साथ साथ

31 दिसम्बर 1972 तक लागू रहेगा।

(1)	(2)	(3)	(4)
36.	IS:6144-1971 जलयानों के ब्लाकों के साध प्रयुक्त घूरे की पित की विशिष्टि	—	इस मानक में जलयान ब्लाकों के साध प्रयुक्त सांकेतिक साहजों 1 से 12 तक की घूरे की पितों के बारे में सामग्री तथा माप दिये गये हैं। (मूल्य रु० 2.00)
37.	IS:6150-1971 आइ० एम० ग्री० मीटरी चूड़ियों के मापक प्रिजम की विशिष्टि	—	इस मानक में 0.35 से 8 मि०मी० अन्तर वाली आइ० एम० ग्री० मीटरी चूड़ियों का लघु व्यास मापने के लिये प्रयुक्त चूड़ी मापक प्रिजम के बारे में अपेक्षाओं दी गई हैं। (मूल्य रु० 5.00)
38.	IS:6181-1971 बानिष द्वारा चिपके कांच रेखे द्वारा केडेड आयताकार तांबे के बालकों की विशिष्टि	—	इस मानक में बानिष द्वारा चिपके कांच रेखे चूड़े आयताकार तांबे के बालकों को लिया गया है। ऊपर चूड़ा कांच एकहरी बनावट का कांच रेखा होता है और वह उपयुक्त ऐसी उच्च पालीमरकृत तापस्थायी बानिष से चिपका होता है जिसका तार सूचक कम से कम 130 से होता है। (मूल्य रु० 3.00)
39.	IS:6211-1971 कागज और भत्ते की बैधार्ड की रीति संहिता	—	इस मानक में सामान्य प्रकार के कागजों और गत्तों की बैधार्ड के लिये विधियों की मिकारिष की गई है। इस मानक में बास तरह के कागज जैसे टिश्यू बानिष इत्यादि कागज नहीं लिये गये। (मूल्य रु० 2.00)
40.	IS:6219-1971 लकड़ी के अप्रसारणीय चपटे पैलेट की परीक्षण संहिता	—	इस मानक में अप्रसारणीय चपटे लकड़ी के पैलेट के विषय में परीक्षण संहिता दी गई है। मूल्य रु० 2.00)
41.	IS:6220-1971 खाने और तेल निकालने के लिये तारियल का ग्रेड निर्धारण	—	इस मानक में खाने और तेल निकालने के नाम और वाले तारियल के ग्रेड निर्धारण, बानगी लेने और परीक्षण की पद्धतियां तथा अपेक्षाओं दी गई हैं। (मूल्य रु० 3.50)

इन संशोधनों की प्रतियां भारतीय मानक संस्था, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-1, और उसके शाखा कार्यालयों (1) साधना नूरमोहम्मद मोख मार्ग, खानपुर अहमदाबाद-1 (2) सिडिकोट बैंक बिल्डिंग, गांधीनगर, बंगलौर-9 (3) 535. सरदार बल्लभ भाई पटेल रोड, बम्बई-7 (4) बीरंगी ऐप्रोच रोड, कलकत्ता-13 (5) 5-201/21 बिरागअली लेन, हैदराबाद 1-(6) 117/418-बी०. सर्वाय नगर, कानपुर-5 और (7) 54 जनरल पैटर्स रोड, मद्रास 2- से प्राप्त की जा सकती है।

[सं० सी० एम० डी०/13:2]

ए० बी० राज, निर्देशक (मैट्रल मार्क्स)

New Delhi, the 3rd, Jan, 1973.

S.O. 120—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended from time to time, the Indian Standards Institution hereby notifies that the Indian Standard (s), particulars of which are mentioned in the Schedule given hereafter, have been established during the period 16th November to 30th November, 1971 :—

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard established	No. and Title of the Indian Standard if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1.	IS: 363-1970 Specification for hasps and staples (second revision)	IS:363-1961 Specification for hasps and staples (revised)	This standard covers requirements regarding material, dimensions, manufacture and finish of hasps and staples. (Price Rs.4.00)
2.	IS:789-1971 Specification for ink, drawing, waterproof, black (first revision)	IS:789-1955 Specification for ink, drawing, waterproof, black.	This standard (first revision) prescribes the requirements and the methods of sampling and tests for ink, drawing, waterproof, black. (Price Rs.3.50).

(1)	(2)	(3)	(4)
3. IS:814-1970 Specification for covered electrodes for metal arc welding of structural steels (<i>third revision</i>)	(i) IS:814-1967 Specification for covered electrodes for metal arc welding of mild steel (<i>second revision</i>)	This specification lays down the requirements for two groups of covered electrodes of sizes 1 mm and above. (Price Rs.9.50)	
	(ii) IS: 1442-1964 Specification for covered electrodes for the metal arc welding of high tensile structural steel (<i>revised</i>)		
4. IS:1172-1971 Code of basic requirements for water supply, drainage and sanitation (<i>second revision</i>)	IS: 1172-1963 Code of basic requirements for water supply drainage and sanitation (<i>revised</i>)	his standard lays down basic requirements for water supply, drainage and sanitation for residential, commercial industrial and other types of buildings in urban areas including railway platforms, bus stations and bus terminals airports and market yards. (Price Rs.6.00.	
5. IS:1322-1970 Specification for bitumen felts for waterproofing and damp-proofing (<i>Second revision</i>)	IS:1322-1965 Specification for bitumen felts for waterproofing and damp-proofing (<i>revised</i>)	This standard covers the requirements for saturated bitumen felts (underlay) and self-finished bitumen felts used for waterproofing and damp-proofing. (Price Rs.6.00)	
6. IS:1477(Part I)-1971 code of practice for painting of ferrous metals in buildings Part I Pretreatment (<i>first revision</i>)	IS:1477(Part I)-1959 Code of practice for finishing of iron and steel/ferrous metal in buildings: painting and allied finishes Part I Operations and workmanship	This standard covers in detail the pretreatment to be provided to ferrous surfaces in buildings before painting under general atmospheric conditions. (Price Rs. 7.00)	
7. IS : 1592-1970 Specification for Asbestos cement pressure pipes (<i>first revision</i>)	IS : 1592-1960 Specification for asbestos cement pressure pipes	This standard covers the requirements for manufacture, classification, dimensions and acceptance tests for asbestos cement pressure pipes. (Price Rs. 4. 00)	
8. IS : 1856-1970 Specification for steel wire ropes for haulage purposes in mines (<i>first revision</i>)	IS : 1856-1961 Specification for steel wire ropes for haulage purposes in mines.	This standard covers steel wire ropes for haulage purposes in mines. Ropes of round and triangular strand construction are included, each being divided into two groups. (Price Rs. 6.00)	
9. IS : 2223-1971 Dimensions of flange mounted ac induction motors (<i>first revision</i>)	IS : 2223-1962 Dimensions of flange mounted ac induction motors	his standard covers the dimensional requirements for flange mounted, protected or totally enclosed fan cooled ac induction motors, equivalent to those having axle heights 56 mm to 315 mm (see IS : 996-1964 and IS : 1231-1967) intended for general purpose applications and having their shafts either in horizontal or in vertical position. (Price Rs. 5.50)	
10. IS : 2388-1971 Specification for slotted grub screws (<i>first revision</i>)	IS : 2388-1963 Specification for grub screws	This standard specifies requirements for slotted grub screws in the size range 1 to 24 mm (M1 to M24). (Price Rs. 5.00)	
11. IS : 2429 (Part I) -1970 Specification for round steel short link chain (electric butt welded), grade 30 Part Non-calibrated load chain for lifting purposes (<i>second revision</i>)	IS : 2429-1967 Specification for electric butt welded steel chain, short link and pitched or calibrated, grade 30, for lifting purposes (<i>first revision</i>)	This standard covers the requirements for lifting chains, Grade 30 non-calibrated, for lifting purposes. These are electric resistance or flash butt welded round steel short link chains fully tested and heat-treated any comply with the general conditions of acceptance of IS : 5616-1970. The sizes from 6.3 mm to 45 mm are covered in this standard. (Price Rs. 4.00)	
12. IS : 2597 (Part V)-1971 Code of practice for the use of electronic valves Part V rectifiers and thyratrons	—	This standard covers additional recommendations required for use of rectifier and thyatron, the general and common aspects having already been covered in IS : 2597 (Part I)-1964 (Price Rs. 5.50)	
13. IS : 3224-1971 Specification for valve fittings for compressed gas cylinders (<i>first revision</i>)	IS 3224-1966 Specification for valve fittings for compressed gas cylinders	This standard covers the requirements of material and dimensions of valve fittings for gas cylinders for compressed, liquefied or dissolved gases and the dimensions of valving capsules. It covers valves with taper stems only. (Price Rs. 7.50)	
14. IS : 3564-1970 Specification for door closers (hydraulically regulated (<i>first revision</i>))	IS : 3564-1966 Specification for door closers (hydraulically regulated)	This standard covers the requirements for exposed type hydraulically regulated door closers for vertical hinge type doors openings to one side only and not weighing more than 80 Kg. (Price Rs. 4.00)	

*For purposes of ISI Certification Marks Scheme, IS:814-1967 shall run *concurrently* with IS:814-1970 upto 31st December, 1971.

(1)	(2)	(3)	(4)
15. IS : 5555-1970 Code of procedure for conducting field studies on atmospheric corrosion of metals	—		This code deals with the procedure of conducting indoor and outdoor exposure tests on metals and alloys for collection of corrosion and pollution data. Recommended methods for determination of atmospheric sulphur dioxide; salinity; air pollution, solid materials; temperature; humidity, rainfall and dew have also been described in the Appendices A to E. (Price Rs. 9.50)
16. IS : 5807 (Part III)-1971 Methods of test for clear finishes for wooden furniture Part III resistance to marking by oils and fats	—		This standard lays down the method of test for assessing the resistance of a wood finishing system to marking by an oil or fat in contact with the surface of the finishing system. The test may be used either as a means of comparing a number of finishing systems or as a controlled check test to ensure that a consistent quality of supplies is being maintained. (Price Rs. 2.00)
17. IS : 5878 (Part I)-1971 Code of practice for construction of tunnels Part I precision survey and setting out	—		This standard covers recommendations for precision survey and setting out of tunnels. (Price Rs. 7.00)
18. IS : 5897-1970 Specification for aluminium and aluminium alloy welding rods and wires and magnesium alloy welding rods	—		This standard prescribes the requirements of bare solid filler rods and wires for welding aluminium and aluminium alloys and filler rods for welding magnesium alloys by inert gas tungsten arc welding (TIG) or gas metal arc welding (MIG) processes. The chemical composition of the filler rods and wires is also specified Price Rs. 5.00)
19. IS : 5945-1970 Specification for barograph, aneroid	—		This standard specifies the requirements for peon-scale aneroid barographs suitable for use at land stations up to a height of 3000 metres above mean sea level and on board ships. (Price Rs. 3.50)
20. IS : 5967-1969 Methods of test for wooden tables	—		This standard lays down the method of test to assess and to make qualitative assessment about the functional and strength requirements of general purpose wooden tables. (Price Rs. 4.00)
21. IS : 5977-1971 Specification for regulators for automobile dc generators (dynamos)	—		This standard covers the basic mechanical and electrical requirements and methods of test for 6, 12 and 24 volt, three element type regulators used with dc generators in automobiles (Price Rs. 2.50)
22. IS : 5994-1970 Test code for agricultural tractors	—		This code applies to mass produced tractors. Prototypes and imported tractors should be subject to special tests with the agreement between the manufacturers and the testing station with regard adjustments and corresponding tests to be made. (Price Rs. 10.50)
23. IS : 6026-1970 Specification for hand-operated sirens	—		This standard lays down the requirements regarding the shape, material, design, construction, performance and testing of hand-operated sirens. (Price Rs. 5.50)
24. IS : 6041-1971 Code of practice for construction of autoclaved cellular concrete block masonry	—		This standard covers the construction of load bearing walls and non-load bearing partitions with autoclaved cellular concrete blocks conforming to IS : 5482-1969. (Price Rs. 5.50)
25. IS : 6055-1970 Specification for sizing flannel	—		This specification prescribes the requirements for sizing flannel (Price Rs. 3.00)
26. IS : 6067-1971 Specification for water tender, type "X" for fire brigade use	—		This standard lays down the requirement regarding material, design and construction, workmanship and finish, accessories and acceptance tests of water tender type 'X' for fire brigade use. (Price Rs. 7.50)
27. *IS : 6091-1971 Specification for machine jig reamers	IS : 1836-1961 Specification for reamers		This standard specifies the dimensions and requirements for machine jig reamers. (Price Rs. 5.00)

(1)	(2)	(3)	(4)
28. IS : 6096-1971 Dimensions for sprockets for 35 mm motion picture projectors	—		This standard specifies the dimensions of 16-tooth intermittent sprockets and 16, 24- and 32-tooth feed and holdback sprockets suitable for use with any of the perforations given in IS : 6085-1971 'Dimensions for 35 mm motion picture film'. (Price Rs. 3.00)
29. IS : 6108-1971 Specification for edible sesame flour (solvent extracted)	—		This standard prescribes the requirements and the methods of sampling and test for edible sesame flour obtained by the solvent extraction process. This standard shall apply only to edible flour obtained from white sesame seeds. (Price Rs. 3.50)
30. IS:6111-1971 Specification for curette, uterine (suction type)	—		This standard specifies the dimensional and other requirements of two sizes of blunt uterine curette (suction type). (Price Rs. 3.00)
31. IS:6114-1971 Specification for forceps, uterine vulsellum	—		This standard specifies the dimensional and other requirements of uterine vulsellum forceps. (Price Rs. 3.00)
32. IS:6122-1971 Specification for seer fish (<i>Scomberomorus</i> spp.), frozen	—		This standard prescribes the requirements and the methods of sampling and test for frozen seer fish (<i>Scomberomorus</i> spp.) (Price Rs. 2.50)
33. IS:6124-1971 Method for determination of crimp in wool	—		This standard prescribes a method for determination of crimp in wool fibres obtained from the bales bags, heaps or fleece. (Price Rs. 2.00)
34. IS:6133 (Part I)-1971 Specification for piezoelectric filters for use in telecommunication and measuring equipment Part-General requirements and tests.	—		This standard deals with the general requirements and methods of test relating to piezo-electric filters for use in telecommunication and measuring equipment. (Price Rs. 5.50).
35. IS:6139-1971 Specification for sizes of photographic paper for general use.	—		This standard prescribes the sizes and tolerances of positive photographic paper for general use (including postcard material) and the method of marking packed paper). (Price Rs. 2.00)
36. IS:6144-1971 Specification for axle pins used with ship's blocks	—		This standard specifies the material and dimensions of axle pins used with ship's blocks of nominal sizes 1 to 12 (Price Rs. 2.20)
37. IS:6150-1971 Specification for ISO metric screw thread measuring prisms.	—		This standard specifies the requirements of screw thread measuring prisms, used for measuring the minor diameter of ISO metric external threads, ranging from 0.35 to 8mm pitch. (Price Rs.5.00)
38. IS:6181-1971 Specification for varnish bonded glass-fibre braided rectangular copper conductors	—		This standard relates to varnish bonded glass fibre covered rectangular copper conductors, the glass covering being a single braid of glass fibre, bonded with a suitable highly polymerized thermosetting varnish of temperature index at least 130°C. (Price Rs. 3.50)
39. IS:6211-1971 Code of practice for packaging of paper and board	—		This standard lays down the recommended practices to be adopted in the packaging of common varieties of paper and board. Special types of papers like tissue, varnish, etc. are not covered by this standard. (Price Rs. 2.00).
40. IS:6219-1971 Test code for non-expendable flat timber pallets	—		This standard covers the test code for non-expendable flat timber pallets. (Price Rs. 2.00).
41. IS:6220-1971 Grading for copra for table use and for oil milling	—		This standard prescribes the methods of grading and the requirements of copra for extraction of oil and for table use, along with methods of sampling and test. (Price Rs. 3.50)

*For purposes of ISI Certification Marking Scheme, IS : 6091-1971 shall come into force with effect from 1st February, 1972 and shall run concurrently with IS : 1836-1961 up to 31st December, 1972.

Copies of these Indian Standards are available for sale with the Indian Standards Institution, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) Syndicate Bank Building, Gandhinagar, Bangalore-9 (ii) 534 Sardar Vallabhai Patel Road, Bombay-7 (iii) 5, Chowringhee Approach, Calcutta-13 (iv) 5-9-201/2, Chirag Ali Lane, Hyderabad-1 (v) 117/418 B Sarvodaya Nagar, Kanpur-5, (vi) 54, General Patters Road, Madras-2 and (vii) 'SADHNA' Nurmohamed Shaikh Marg, Khanpur, Ahmedabad-1.

[No. CMD/13:2]

A.B. RAO, Director (Central Marks)

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

शुद्धिपत्र

नयी दिल्ली, 20 दिसम्बर, 1972

का. आ. 121.—दिनांक 30 सितम्बर, 1972 के भारत के राजपत्र के भाग 2, खण्ड 3 उपखण्ड (2) पृष्ठ 3671-72 में प्रकाशित भारत सरकार स्वास्थ्य एवं परिवार नियोजन मंत्रालय (स्वास्थ्य विभाग) का अधिसूचना संख्या एस्. ओ. 2628 दिनांक 17 जुलाई, 1972 की मद् संख्या (3) में,

“डाक्टर आव मीडिसियन (विसंज्ञा शास्त्र)

—एम. डी. (विसंज्ञा शास्त्र), दिल्ली” पढ़ें।

“डाक्टर आव मीडिसियन (विसंज्ञा शास्त्र)

—एम. डी. (विसंज्ञा शास्त्र), दिल्ली” पढ़ें।

[सं. वी. 11015/24/72 एम. पी. टी. भाग 1]

MINISTRY OF HEALTH AND FAMILY PLANNING
(Department of Health)

New Delhi, the 20th December, 1972

CORRIGENDUM

S.O. 121.—In the notification of the Government of India in the Ministry of Health and Family Planning (Department of Health) No. S.O. 2628 dated the 17th July, 1972, published on page 3671 of the Gazette of India, Part II-Section 3-sub-section (ii) dated the 30th September, 1972, in item (iii),

for “Doctor of Medicine (Anaesthesiology)

—M. S. (Anaes.), Delhi”.

read “Doctor of Medicine (Anaesthesiology)

—M. D. (Anaes.), Delhi”.

[No. V. 11015/24/72-MPT(PT)].

नई दिल्ली, 22 दिसम्बर, 1972

का. आ. 122.—यतः भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (ख) का अनुसरण करते हुये सौराष्ट्र विश्वविद्यालय ने एम. पी. शाह मीडिकल कालेज, जामनगर के डीन डा. एच. एच. शाह को 12 दिसम्बर, 1972 से भारतीय चिकित्सा परिषद् का सदस्य निर्वाचित कर दिया है।

अतः अब उक्त अधिनियम की धारा 3 की उपधारा (1) के उपबन्धों का अनुसरण करते हुये केन्द्रीय सरकार एतद्वारा निदेश देती है कि डा. एच. एच. शाह जिनका नाम भारत सरकार स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या एफ. 5-12/59-वि. 1 में “धारा 3 की उपधारा (1) खण्ड (ख) के अधीन निर्वाचित” शीर्षक के अन्तर्गत क्रम संख्या 37 पर अंकित है, 12 दिसम्बर, 1972 से आगामी पांच वर्ष की अवधि के लिए अथवा जब तक उनके उत्तराधिकारी का निर्वाचन नहीं हो जाता, जो भी बाद में हे भारतीय चिकित्सा परिषद् के सदस्य बने रहेंगे।

[सं. 11013/1/72 एम. पी. टी. (एफ)]

New Delhi, the 22nd December, 1972

S.O. 122.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. H. H. Shah, Dean, M.P. Shah Medical College, Jamnagar, has been elected by the Saurashtra University to be a member of the Medical Council of India with effect from the 12th December, 1972.

Now, therefore, in pursuance of the provisions of sub-section (1) of section 3 of the said Act, the Central Government hereby directs that Dr. H. H. Shah, whose name appears at serial No. 37 under the heading “Elected under clause (b) of sub-section (1) of section 3” in the notification of the Government of India in the Ministry of Health, No. F. 5-13/59-MI, dated the 9th January, 1960, shall continue to be a member of the Medical Council of India for a further period of five years or until his successor is elected, whichever is longer with effect from the 12th December, 1972.

[No. V. 11013/1/72-MPT(F)]

का. आ. 123.—यतः भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (ख) के अधीन, डा. नरसिंह राव पिन्नामनेनी, एम. बी. बी. एस. एम. एस., प्रथम पंक्ति रमन्नापेट गुण्टूर आन्ध्र प्रदेश को 25 नवम्बर, 1972 से आन्ध्र प्रदेश राज्य से भारतीय चिकित्सा परिषद् का सदस्य निर्वाचित कर दिया गया है।

अतः अब उक्त अधिनियम की धारा 3 की उपधारा (1) के उपबन्धों का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59-वि. 1 में और आगे निम्नीलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खण्ड (ग) के अधीन निर्वाचित” शीर्षक के अन्तर्गत क्रम संख्या 7 के सम्मुख प्रविष्टि के स्थान पर निम्नीलिखित प्रविष्टि अन्तःस्थापित कर ली जाय :

“डाक्टर नरसिंह राव पिन्नामनेनी,

एम. बी. बी. एस., एम. एस.,

प्रथम पंक्ति, रमन्नापेट, गुण्टूर-2 (आन्ध्र प्रदेश)।

[सं. 11013/1/72 एम. पी. टी.]

S.O. 123.—Whereas Dr. Narasimha Rao Pinnamaneni, MBBS, MS, 1st Line, Ramannapet, Guntur-2 (Andhra Pradesh), has been elected with effect from the 25th November, 1972, from the State of Andhra Pradesh as a member of the Medical Council of India under clause (c) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956);

Now, therefore, in pursuance of the provisions of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely:—

In the said notification, under the heading “Elected Under clause (c) of sub-section (1) of section 3” for the entry against serial No. 7, the following entry shall be substituted, namely:—

“Dr. Narasimha Rao Pinnamaneni, MBBS, M. S.
1st Line, Ramannapet, Guntur-2 (Andhra Pradesh)”

[No. V. 11013/1/72-MPT].

नई दिल्ली, 28 दिसम्बर, 1972

का. आ. 124.—यतः उक्त चिकित्सा अधिनियम 1948 (1948 का 16) की धारा 3 के खण्ड (घ) के उपबन्धों का अनुसरण करते हुए नागपुर विश्वविद्यालय, नागपुर द्वारा डा. वी. सुब्रह्मण्यम, डीन गर्बनमेट उक्त चिकित्सा कालेज एवं अस्पताल, नागपुर-3 को 9 सितम्बर, 1972 से भारतीय उक्त चिकित्सा परिषद् का सदस्य निर्वाचित किया गया है।

और यतः उक्त अधिनियम के खण्ड (ड) के उपबन्धों का अनुसरण करते हुये दूसरे कालम में विनिर्दिष्ट राज्य सरकारों द्वारा

निम्नीलिखित व्यक्तियों को कालम तीन में उनके नाम के सामने लिखी तिथि से उपर्युक्त परिषद् का सदस्य मनोनीत किया गया है।

अतः अब उक्त अधिनियम की धारा 3 के उपबन्धों का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा भारत सरकार की भूतपूर्व स्वास्थ्य मंत्रालय की अधिसूचना संख्या 3-2/62-वि. 2 दिनांक 17 अक्टूबर, 1962 में आगे और निम्नीलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में—

(1) “धारा 3 के खण्ड (घ) के अधीन निर्वाचित “शीर्ष के अन्तर्गत गुरु नानक विश्वविद्यालय, अमृतसर के डा. बी. आर. बाचर से सम्बन्धित क्रमांक 14 के बाद निम्नीलिखित प्रविष्टि अन्तः स्थापित की जाय अर्थात् :—

“डा. वी. सुब्रह्मण्यम, डीन, गवर्नमेंट दन्त चिकित्सा कालेज, एवं अस्पताल, नागपुर-3,”

(2) “धारा 3 के खण्ड (ड) के अधीन मनोनीत” शीर्ष के अन्तर्गत क्रम संख्या 1 के सामने उल्लिखित प्रविष्टि के स्थान पर निम्नीलिखित प्रविष्टि अन्तः स्थापित कर ली जाय, अर्थात् :—

“(1). डा. एम. आर. डीन, डी. ई. डी. एफ. (पेरिस), दन्त शल्य चिकित्सक, विसाखापतनम आन्ध्र प्रदेश—”

(2) क्रम संख्या 14 के सामने उल्लिखित प्रविष्टि के स्थान पर निम्नीलिखित प्रविष्टि अन्तः स्थापित कर ली जाय, अर्थात् :—

“14. डा. कश्यप भार्गव बी. डी. एस., एम. एस., प्रोफेसर आब प्रोस्थेटिक्स, काउन एण्ड ब्रिज, गवर्नमेंट डेंटल कालेज और अस्पताल, अहमदाबाद—गुजरात”।

[सं. 12013/1/72-एम.पी.टी.]

प्रकाश चन्द्र अरोरा, अवर सचिव

New Delhi, the 28th December, 1972

S. O. 124—Whereas in pursuance of the provisions of clause (d) of section 3 of the Dentists Act, 1948 (16 of 1948), Dr. V. Subramanian Dean, Government Dental College and Hospital, Nagpur-3, has been elected by the Nagpur University Nagpur, to be a member of the Dental Council of India with effect from the 9th September, 1972:

And whereas in pursuance of the provisions of clause (e) of the said Act, the following persons have been nominated by the State Government specified against each of them in the second column to be members of the said Council with effect from the dates shown against each in the 3rd column namely:—

Name of person	Name of State Government which nominated him	Date of nomination.
1. Dr. M.R. Deen, DEDF (Paris), Dental Surgeon Visakhapatnam,	Government of Andhra Pradesh.	19-9-1972
2. Dr. Kashyap. Bhargav, BDS, MS, Professor of Prosthetics, Crown and Bridge, Government Dental College and Hospital, Ahmedabad.	Government of Gujarat.	17-10-1972

Now, therefore, in pursuance of the provisions of section 3 of the said Act, the Central Government hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Health No. 3-2/62-MII, dated the 17th October, 1962, namely:—

In the said notification:—

(i) under the heading 'Elected under clause (d) of section 3, after serial No. 14 relating to Dr. B.R. Bacher of the Guru Nank University, Amritsar; the following entry shall be inserted, namely:—

“15. Dr. V. Subramanian,
Dean, Government Dental College and Hospital, Nagpur-3

(ii) under the heading “Nominated under clause (e) of section 3

(i) for the entry against serial No.1 the following entry shall be substituted, namely:—

“1. Dr. M.R. Deen, DEDF (Paris),
Dental Surgeon, Visakhapatnam,
Andhra Pradesh—”

(ii) for the entry against serial No. 14 the following entry shall be substituted, namely:—

“14. Dr. Kashyap Bhargav, BDS, M.S.
Professor of Prosthetics, Crown and Bridge,
Government Dental College and Hospital, Ahmedabad (Gujarat)—”

[No V. 12103/1/72-MPT.]

P.C. ARORA, Under Secretary

संचार विभाग

(डाक-तार बोर्ड)

नई दिल्ली, 6 जनवरी, 1973

का. आ. 125.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च 1960 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खण्ड 3 के पैरा (क) के अनुसार डाक-तार महानिदेशक ने मैनपुरी टेलीफोन केन्द्र में दिनांक 16 फरवरी, 1973 से प्रमाणित तार प्रणाली लागू करने का निश्चय किया है।

[सं. 5/2/73-पी. एच. बी.(3)]

ए. एस. बोहरा,

सहायक महानिदेशक (पी. एच. बी.)

MINISTRY OF COMMUNICATION

(P. & T. Board)

New Delhi, the 6th January, 1973

S.O. 125.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16th February, 1973 as the date on which the Measured Rate System will be introduced in Mainpuri Telephone Exchange, U.P. Circle.

[No. 5-2/73-PHB(3)]

A. S. VOHRA,

Asstt. Director General (PHB).

निर्माण और वायास संस्थान

सम्बन्ध निदेशालय

नई दिल्ली, 4, जनवरी, 1973

का.आ. 126—लोक परिसर (संप्राधिकृत अधिभोगियों की वेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रवर्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, नीचे की सारणी के स्तम्भ (1)

में वर्णित अधिकारी को, जो सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारियों के रूप में एतद्वारा नियुक्त करती है, और उक्त अधिकारी, उक्त सारणी के स्तम्भ (2) में की तत्स्थानी प्रशिक्षित में विनिर्दिष्ट लोक परिसरों की बाबत अपनी-अपनी अधिकारिता की सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग करेंगे और उन पर अधिरोपित कर्तव्यों का पालन करेंगे।

सारणी

अधिकारी का पदामिधान	लोक परिसरों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
(1)	(2)
1. केन्द्रीय उत्पाद-शुल्क कलक्टर, मद्रुराई।	सम्पुक्त विभागों के प्रशासनिक नियंत्रण में के परिसर जो
2. केन्द्रीय उत्पाद-शुल्क कलक्टर, गुंटूर।	उनकी अपनी-अपनी अधिकारिता की स्थानीय सीमाओं के भीतर हैं।
3. केन्द्रीय उत्पाद-शुल्क कलक्टर, अहमदाबाद।	
4. केन्द्रीय उत्पाद-शुल्क कलक्टर, चण्डीगढ़।	
5. आयकर आयुक्त, हरियाणा, हिमाचल प्रदेश और दिल्ली-3	सम्पुक्त विभागों के प्रशासनिक नियंत्रण में के परिसर जो उनकी
6. आयकर आयुक्त, मध्य प्रदेश, भोपाल।	अपनी-अपनी अधिकारिता की स्थानीय सीमाओं के भीतर हैं।
7. दीप स्तम्भ और दीप पोत निदेशक, जामनगर।	नौवहन और परिवहन मंत्रालय के और उसके द्वारा पट्टे पर लिए गए और उसके प्रशासनिक नियंत्रण में के परिसर जो उनके
8. दीप स्तम्भ और दीप पोत निदेशक, मुम्बई।	अपने-अपने प्रशासनिक नियंत्रण में हैं।
9. दीप स्तम्भ और दीप पोत निदेशक, कलकत्ता।	
10. दीप स्तम्भ और दीप पोत निदेशक, पोर्ट ब्लेयर।	
11. दीप स्तम्भ और दीप पोत निदेशक, मद्रास।	

[स 21011 (4) / 66पोस-4]

MINISTRY OF WORKS AND HOUSING

(Directorate of Estates)

New Delhi, the 4th January, 1973

S.O. 126—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being gazetted officers of Government to be Estate Officers for the purposes of the said Act, and the said officers shall exercise the powers conferred and perform the duties imposed on Estate Officers by or under the said Act, within the limits of their jurisdiction in respect of the public premises specified in the corresponding entry in column (2) of the said Table.

THE TABLE

Designation of the officer	Categories of the public premises and local limits of jurisdiction
(1)	(2)
1. Collector of Central Excise, Madurai.	
2. Collector of Central Excise, Guntur.	

(1)

(2)

3. Collector of Central Excise, Ahmedabad.	Premises under the administrative control of the Departments concerned within the local limits of their respective jurisdiction.
4. Collector of Central Excise, and Customs, Chandigarh.	
5. Commissioner of Income-tax, Haryana, Himachal Pradesh and Delhi-III.	
6. Commissioner of Income-tax, Madhya Pradesh, Bhopal.	
7. Director Lighthouses & Lightships, Jamnagar.	Premises belonging to and taken on lease and under the administrative control of the Ministry of Shipping and Transport and which are under their respective administrative control.
8. Director of Lighthouses & Lightships, Bombay	
9. Director of Lighthouses & Lightships, Calcutta.	
10. Director of Lighthouses & Lightships, Port Blair.	
11. Director of Lighthouses & Lightships, Madras.	

[No. 21011(4)/66-Pol.IV]

का० प्रा० 127—लोक परिसर (अप्राधिकृत अधिकारियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, नीचे की सारणी के स्तम्भ (1) में वर्णित अधिकारियों को, जो सरकार के राजपत्रित अधिकारियों के रैंक के समतुल्य अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारियों के रूप में एतद्वारा नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट लोक परिसरों की बाबत अपनी-अपनी अधिकारिता की सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग करेंगे, और उन पर अधिरोपित कर्तव्यों का पालन करेंगे।

सारणी

अधिकारी का पदामिधान	लोक परिसरों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
1	2
1. नगर प्रशासक/प्रबंधक उपसविदा/सम्पदा अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड के मशीन टूल्स लिमिटेड, I और II, मशीन टूल्स फैक्टरी एस्टेट, बंगलौर।	हिन्दुस्तान मशीन टूल्स लिमिटेड के स्वामित्व में के या उसके द्वारा अर्जित या किराये पर लिए गए लोक परिसर जो उनके अपने-अपने प्रशासनिक नियंत्रण में हैं।
2. अधीक्षक संयंत्र/सम्पदा अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, III मशीन टूल्स फैक्टरी एस्टेट पिजौर, जिला अम्बाला (हरियाणा)।	
3. सम्पदा अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, IV मशीन टूल्स फैक्टरी एस्टेट, कालामशेरी (केरल)।	हिन्दुस्तान मशीन टूल्स लिमिटेड के स्वामित्व में के या उसके द्वारा अर्जित या किराये पर लिए गए लोक परिसर जो उनके अपने-अपने प्रशासनिक नियंत्रण में हैं।

(1)	(2)	(1)	(2)
4. नगर प्रशासक/सम्पदा अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, V मशीन टूल्स फैक्टरी एस्टेट, बालानगर कस्बा, हैदराबाद।			परियोजना तथा जिला हजारीबाग (बिहार) में कोयला खान गिरिडीह समूह अर्थात् सेरामपुर, कुरहुवाडी और धोबीडीह के नाम से जाने जाते हैं।
5. कार्मिक प्रबंधक/कार्मिक अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, I और II बाच फैक्टरी एस्टेट, बंगलौर।		12. महा प्रबंधक/क्षेत्र महा प्रबंधक कोरबा, डाकघर कोरबा, राष्ट्रीय कोयला विकास निगम लिमिटेड, जिला बिलासपुर (मध्य प्रदेश)।	उन परिसरों की बाबत जो जिला बिलासपुर (मध्य प्रदेश) में कोरबा, मानिकपुर, सुरकाचार, गुरदयूज, बंकी, कोसमांडा राजगमार, कोयला खान और परियोजना के नाम से जान जाते हैं।
6. कार्मिक प्रबंधक/कार्मिक अधिकारी, हिन्दुस्तान मशीन टूल्स लिमिटेड, III बाच फैक्टरी एस्टेट, जैनाकोटे (श्रीनगर-बारामूला राजमार्ग), श्रीनगर (जम्मू और कश्मीर)।		13. क्षेत्र महाप्रबंधक, राष्ट्रीय कोयला विकास निगम लिमिटेड, सिंगरौली, डाकघर सिंगरौली, जिला सीधी (मध्य प्रदेश)।	उन परिसरों की बाबत जो जिला सीधी (मध्य प्रदेश) में सिंगरौली, सिंगरौली, गोरबी कोयला खान और परियोजना के नाम से जाने जाते हैं।
7. प्रगति-अधिकारी, भारतीय टेलीफोन उद्योग नैनी यूनिट, नैनी, इलाहाबाद।	भारतीय टेलीफोन उद्योग लिमिटेड, नैनी के या उसके लिए पट्टे पर लिए गए परिसर, जो उक्त संगठन के प्रशासनिक नियंत्रण में हैं।	14. क्षेत्र महाप्रबंधक (बीकेपी), राष्ट्रीय कोयला विकास निगम लिमिटेड, बैकुंठपुर, डाकघर बैकुंठपुर, जिला सुरगुजा (मध्य प्रदेश)।	उन परिसरों की बाबत जो जिला सुरगुजा में कुसिया, सोनायानी (कोरिया II), कोरिया I, डोमन हिल परियोजना और कोयला खान और जिला सोहड़ोल (मध्य प्रदेश) में जमुना (कोटमा) बिजुरी के नाम से जाने जाते हैं और जिला सुरगुजा (मध्य प्रदेश) में बैकुंठपुर क्षेत्र कार्यालय और कालोनी परिसर।
8. प्रशासन और राजस्व अध्यक्ष, राष्ट्रीय कोयला विकास निगम लिमिटेड, दरभंगा हाऊस, रांची (बिहार)।	बिहार, उड़ीसा, मध्य प्रदेश और महाराष्ट्र राज्यों में राष्ट्रीय कोयला विकास निगम के या उसके नियंत्रण में के सभी परिसर।		
9. महाप्रबंधक/क्षेत्र महाप्रबंधक (करणपुरा), राष्ट्रीय कोयला विकास निगम लिमिटेड, डाकघर बड़काखाना, जिला हजारीबाग (बिहार)।	उन परिसरों की बाबत जो जिला हजारीबाग (बिहार) में गिडी 'ए' गिडी 'सी' नदिया टोली, सौदा, स्थाल 'ए' 'डी' (चनाब, रिकबा बचरा, चौरघारा, रामगढ़, पलातु भरगावा, मुरकुंडा, कट्या (उरी-मरी) परियोजना और कोयलाखान और बड़काखाना बर्कशाप और जिला हजारीबाग (बिहार) में केन्द्रीय स्टोर तथा जिला पलामु (बिहार) में गणेशपुर पिछारकम ब्लॉक के नाम से जाने जाते हैं।	15. क्षेत्र महाप्रबंधक, राष्ट्रीय कोयला विकास निगम लिमिटेड, विश्रामपुर, डाकघर विश्रामपुर, जिला सुरगुजा (मध्य प्रदेश)।	उन परिसरों की बाबत जो जिला, सुरगुजा, (मध्य प्रदेश) में विश्रामपुर, चर्खा (सोनहाट) और कटकोना कोयला खान/परियोजना के नाम से जाने जाते हैं।
10. महाप्रबंधक/क्षेत्र महाप्रबंधक, (बी० एण्ड के०), राष्ट्रीय कोयला विकास निगम लिमिटेड, डाकघर करगली, जिला हजारीबाग (बिहार)।	उन परिसरों की बाबत जो जिला हजारीबाग (बिहार) में कठारा, करगली, बोकारो, जरंगडीह स्वांग, जालकारी, धौरी, आसानापानी उचितडीह, उत्तरी जरंगडीह डिप्ट माइल पुंडी, गोबिंदपुर, लोहरी (पश्चिमी बोकारो) कार, केडला टेपिंग, सरम ब्लॉक बी, बोकारो ब्लॉक II और III, IV धौरी बोकारो कोयला खान और परियोजना के नाम से जाने जाते हैं।	16. क्षेत्र महाप्रबंधक (एन), नागपुर, डाकघर नागपुर, जिला नागपुर, महाराष्ट्र।	उन परिसरों की बाबत जो जिला नागपुर (महाराष्ट्र) में उमरेर सिलेबाड़ा, कामटी कोयला खान और परियोजना तथा जिला बेतुल (मध्य प्रदेश) में पाटारों गोगरी कोयलाखान/परियोजना के नाम से जाने जाते हैं।
11. महाप्रबंधक/क्षेत्र महाप्रबंधक (मध्य झरिया), राष्ट्रीय कोयला विकास निगम लिमिटेड, डाकघर सुदमडीह जिला धनबाद (बिहार)	उन परिसरों की बाबत जो जिला धनबाद (बिहार) में सुदमडीह, मोनीडीह, कपूरिया, मध्य झरिया, पवंतपुर (तेलगाशिया) कोयला खान और	17. क्षेत्र महाप्रबंधक (उड़ीसा) डाकघर डेरा, कोलियारी जिला उड़ीसा, डेंकानाल।	उन परिसरों की बाबत जो जिला डेंकानाल (उड़ीसा) में तलचार, डेलबेरा, दक्षिणी बालंदा नंदिरा जगन्नाथ (उत्तरी बालंदा हंडी-हुआ, डेरा डेलबेरा (पूर्वी) एक्सटेन्शन कोयलाखान/परियोजना के नाम से जाने जाते हैं।
		18. अपर निदेशक, सम्पदा प्रबंध, परमाणु/ऊर्जा विभाग, भागीरथी, अणुशक्ति नगर, देवतार, मुम्बई।	बृहत्तर मुम्बई और आन्ध्रप्रदेश के हैदराबाद जिले में परमाणु ऊर्जा विभाग के या उसके प्रशासनिक नियंत्रण में के (कार्यालय और आवासीय) परिसर।

(1)	(2)	(1)	(2)
19. सहायक रजिस्ट्रार, भारतीय प्रौद्योगिकी संस्थान, कानपुर।	भारतीय प्रौद्योगिकी संस्थान, कानपुर के या उसके द्वारा या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत किए गए परिसर जो कानपुर जिले में उसके प्रशासनिक नियंत्रण में हैं।	परिसर जो दिल्ली संघ राज्य-क्षेत्र की सीमाओं के भीतर उसके प्रशासनिक नियंत्रण में हैं (प्रशासन-अधिकारी द्वारा प्राबलित क्वार्टरों के संबंध में)	
20. कार्यपालक इंजीनियर, भारतीय प्रौद्योगिकी संस्थान, मद्रास।	भारतीय प्रौद्योगिकी संस्थान, मद्रास के या उसके द्वारा या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत किए गए परिसर, जो मद्रास जिले में उसके प्रशासनिक नियंत्रण में हैं।	27. प्रशासन प्रबंधक, हिन्दुस्तान वैमानिकी लिमिटेड, लखनऊ।	हिन्दुस्तान वैमानिकी लिमिटेड के स्वामित्व में के या उसके द्वारा अर्जित या किराए पर लिए गए लोक परिसर जो उसके प्रशासनिक नियंत्रण में हैं।
21. संस्था इंजीनियर, भारतीय प्रौद्योगिकी संस्थान, मुम्बई।	भारतीय प्रौद्योगिकी संस्थान, मुम्बई के या उसके द्वारा या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत किए गए परिसर, जो मुम्बई जिले में उसके प्रशासनिक नियंत्रण में हैं।	28. ज्येष्ठ प्रशासन प्रबंधक, हिन्दुस्तान वैमानिकी लिमिटेड, कानपुर मण्डल कानपुर।	हिन्दुस्तान वैमानिकी लिमिटेड के स्वामित्व में के या उसके द्वारा अर्जित या किराए पर लिए गए ऐसे लोक परिसर जिन में साहाय्यप्राप्त प्रौद्योगिक आवास स्कीम के अन्तर्गत आनेवाले भवन सम्मिलित हैं जो उसके प्रशासनिक नियंत्रण में हैं।
22. कार्यपालक इंजीनियर, भारतीय प्रौद्योगिकी संस्थान, खड़गपुर।	भारतीय प्रौद्योगिकी संस्थान, खड़गपुर के या उसके द्वारा या उसकी ओर से पट्टे पर लिए गए या अधिगृहीत किए गए परिसर, जो सिक्किम पुर जिले में उसके प्रशासनिक नियंत्रण में हैं।	[फा0 सं0 21012 (5)/67-नीति-1] बी. आर. अय्यर, अवर सचिव	
23. क्षेत्रीय निवेशक, कर्मचारी राज्य बीमा निगम, पश्चिमी बंगाल क्षेत्र, कलकत्ता।	कर्मचारी राज्य बीमा निगम के स्वामित्व में के या उसके द्वारा अर्जित या किराए पर लिए गए लोक परिसर जो पश्चिमी बंगाल राज्य की सीमाओं के भीतर उसके प्रशासनिक नियंत्रण में हैं।	S.O. 127.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, (40 of 1971) the Central Government hereby appoints the officers mentioned in column (1) of the Table below, being officers equivalent to the rank of gazetted officers of Government to be Estate Officers for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on estate officers, by or under, the said Act, within the limits of their respective jurisdiction in respect of the public premises specified in column (2) of the said Table.	
24. क्षेत्रीय निवेशक, कर्मचारी राज्य बीमा निगम, उत्तर प्रदेश क्षेत्र, कानपुर।	कर्मचारी राज्य बीमा निगम के स्वामित्व में के या उसके द्वारा अर्जित या किराए पर लिए गए लोक परिसर जो उत्तर प्रदेश राज्य की सीमाओं के भीतर उसके प्रशासनिक नियंत्रण में हैं।	THE TABLE	
25. चिकित्सा अधीक्षक, कर्मचारी राज्य बीमा अस्पताल और निदेशक (चिकित्सा), कर्मचारी राज्य बीमा स्कीम, दिल्ली।	कर्मचारी राज्य बीमा निगम के स्वामित्व में के या उसके द्वारा अर्जित या किराए पर लिए गए लोक परिसर जो दिल्ली संघ राज्य क्षेत्र की सीमाओं के भीतर उसके प्रशासनिक नियंत्रण में हैं (चिकित्सा अधीक्षक, कर्मचारी राज्य बीमा अस्पताल और निदेशक (चिकित्सा) कर्मचारी राज्य बीमा स्कीम, दिल्ली द्वारा प्राबलित क्वार्टरों के संबंध में)।	Designation of the officer	Categories of public premises and local limits of jurisdiction.
26. प्रशासन-अधिकारी कर्मचारी राज्य बीमा निगम, दिल्ली।	कर्मचारी राज्य बीमा निगम के स्वामित्व में के या उसके द्वारा अर्जित या किराए पर लिए गए लोक	(1)	(2)
		1. Town Administrator/Manager Sub-contracts/Estate Officer, Hindustan Machine Tools Limited, I & II, Machine Tools Factories Estate, Bangalore.	Public premises owned or acquired or hired by the Hindustan Machine Tools Limited which are under their respective administrative control.
		2. Superintendent Plant/Estate Officer, Hindustan Machine Tools Limited, III Machine Tools Factory Estate, Pinjore, Distt. Ambala (Haryana).	
		3. Estate Officer, Hindustan Machine Tools Limited, IV Machine Tools Factory Estate, Kalamassery (Kerala).	
		4. Town Administrator/Estate Officer, Hindustan Machine Tools Limited, V Machine Tools Factory Estate, Balanagar Township, Hyderabad.	
		5. Personnel Manager/Personnel Officer, Hindustan Machine Tools Limited, I & II Watch Factories Estates, Bangalore.	
		6. Personnel Manager/Personnel Officer, Hindustan Machine Tools Limited, III Watch Factory Estate, Zainakote (Srinagar-Baramulla Highway) Srinagar (J & K).	

(1)	(2)	(1)	(2)
7. Progress Officer, Indian Telephone Industries, Naini Unit, Naini, Allahabad.	Premises belonging to or taken on lease for the Indian Telephone Industries Limited, Naini and which are under the administrative control of the said organisation.		district of Surguja and Jamuna (Kotma) Bijuri in the District of Sohdol (M.P.) and Baikunthpur area office and colony premises in the District of Surguja (M.P.).
8. Chief of Administration and Revenue, National Coal Development Corporation Ltd., Darbhanga House, Ranchi (Bihar).	All the premises belonging to or under the control of the National Coal Development Corporation in the States of Bihar, Orissa, Madhya Pradesh and Maharashtra.	15. Area General Manager, Coal Development Corporation Limited, Bishrampur, P.O. Bishrampur, District Surguja (M.P.).	In respect of the premises known as Bishrampur, Churcha (Sonhat) and Katkona Collieries/Projects in the District of Surguja (M.P.).
9. General Manager/Area General Manager (Karanpura), National Coal Development Corporation Limited, P.O. Barkakana, District Hazaribagh (Bihar).	In respect of premises known as Gidi 'A' Gidi 'C' Nadiatoli, Sunda, Sayal 'A' 'D' (Chanao, Rikba Bachra, Chordhara, Ramgarh, Patratu Argada, Bhurkunda, Katya (Urimari) Project and Collieries and Barkakana Workshop and Central Stores in the District of Hazaribagh (Bihar) and Ganeshpur Pindarkom Block in the District of Palamau (Bihar).	16. Area General Manager (N), Nagpur, P.O. Nagpur, District Nagpur, Maharashtra.	In respect of premises known as Umter Silewara, Kamtee Collieries and Projects in the District of Nagpur (Maharashtra) and Pathakhara, Gogri Collieries Projects in the District of Betul (M.P.).
10. General Manager/Area General Manager (B & K) National Coal Development Corporation Limited, P.O., Kargali-District Hazaribagh (Bihar).	In respect of premises known as Kathara, Kargali, Bokaro, Jarangdih Swang, Chalkari, Dhori, Asanapani, Uchitdih, North Jarangdih, Drift Mine Pundi, Govindpur, Loiyo (West Bokaro) Karo, Kedla Taping, Saram Block B Bokaro Block II and III, IV Dhori Bokaro Collieries and Projects in the District of Hazaribagh (Bihar)	17. Area General Manager (Orissa) P. O. Dera-Colliery, District Orissa, Dhenkanal.	In respect of premises known as Talchar Deulbera, South Balanda Nandira, Jagannath (North) Balanda, Handidua, Dera, Delbera (East) Extension Collieries/Projects in the District of Dhenkanal (Orissa).
11. General Manager/Area General Manager (Central Jharia) National Coal Development Corporation Limited, P.O., Sudamdih, District Dhanbad (Bihar).	In respect of premises known as Sudamdih, Monidih, Kapuria, Central Jharia, Parbatpur (Telgashiya) Collieries and Projects in the District of Dhanbad (Bihar) and Girdih group of collieries i.e., Sarampur, Kurhubaree and Dhobidih in the District of Hazaribagh (Bihar).	18. Additional Director of Estate Management, Department of Atomic Energy, Bhagirathi, Anushakti Nagar, Devnar, Bombay.	Premises (Office and Residential) belonging to or under the administrative control of the Department of Atomic Energy in Greater Bombay and in Hyderabad District of Andhra Pradesh.
12. General Manager/Area General Manager/Korba P.O. Korba National Coal Development Corporation Limited, District Bilaspur (M.P.).	In respect of premises known as Korba, Manikpur, Surakachar, Gurdewa, Banki, Kosmanda Rajgamar Collieries and Projects in the District of Bilaspur (M.P.)	19. Assistant Registrar, Indian Institute of Technology, Kanpur.	Premises belonging to or taken on lease or requisitioned by, or on behalf of the Indian Institute of Technology, Kanpur, which are under its administrative control in Kanpur District.
13. Area General Manager, National Coal Development Corporation Limited, Singrauli, P. O., Singrauli, District Sidhi (M.P.).	In respect of premises known as Singrauli, Jhingurda, Gorbi collieries and Projects in the District of Sidhi (M.P.).	20. Executive Engineer, Indian Institute of Technology, Madras.	Premises belonging to or taken on lease or requisitioned by, or on behalf of the Indian Institute of Technology, Madras, which are under its administrative control in Madras District.
14. Area General Manager (BKP) National Coal Development Corporation Limited, Baikunthpur, P. O. Baikunthpur, District Surguja (M.P.).	In respect of premises known as Kurasia, Sonawani (Korea II) Korea I, Doman Hill Projects and Collieries in the	21. Institute Engineer, Indian Institute of Technology, Bombay.	Premises belonging to or taken on lease or requisitioned by, or on behalf of the Indian Institute of Technology, Bombay, which are under its administrative control in Bombay District.
		22. Executive Engineer, Indian Institute of Technology, Kharagpur.	Premises belonging to or taken on lease or requisitioned by, or on behalf of the Indian Institute of Technology, Kharagpur, which are under its administrative control in Midnapore District.

(1)	(2)
23. Regional Director, Employees' State Insurance Corporation, West Bengal Region, Calcutta.	Public premises owned or acquired or hired by the Employees' State Insurance Corporation and which are under his administrative control within the limits of the State of West Bengal.
24. Regional Director, Employees' State Insurance Corporation, Uttar Pradesh Regional Kanpur.	Public premises owned or acquired or hired by the Employees' State Insurance Corporation and which are under his administrative control within the limits of the State of Uttar Pradesh.
25. Medical Superintendent, Employees' State Insurance Hospital & Director (Medical) Employees' State Insurance Scheme, Delhi.	Public premises owned or acquired or hired by the Employees' State Insurance Corporation and which are under his administrative control within the limits of the Union Territory of Delhi (for the quarters allotted by the Medical Superintendent, Employees' State Insurance Hospital and Director (Medical) Employees' State Insurance Scheme, Delhi).
26. Administrative Officer, Employees' State Insurance Corporation, Delhi	Public premises owned or acquired or hired by the Employees' State Insurance Corporation and which are under his administrative control within the limits of Union Territory of Delhi (for quarters allotted by the Administrative Officer).
27. Administrative Manager, Hindustan Aeronautics Ltd., Lucknow Division, Lucknow.	Public premises owned or acquired or hired by the Hindustan Aeronautics Limited and which are under his administrative control.
28. Senior Administrative Manager, Hindustan Aeronautics, Limited, Kanpur Division, Kanpur.	Public premises owned or acquired or hired including the buildings under the subsidised industrial housing scheme, by the Hindustan Aeronautics Limited which are under his administrative control.

[No. 21012(5)/67/Pol.IV]

V. R. IYER, Under Secy.

रेल मंत्रालय**(रेलवे बोर्ड)**

नई दिल्ली, 19 दिसम्बर, 1972

का. आ. 128.—इस मंत्रालय के 14-8-72 की समसंख्यक अधिसूचना — असाधारण प्रकाशन — में “श्री डी. रामचन्द्र राजू, जिला एवं सेशन जज, अनन्तपुर” के नाम और पदनाम के स्थान पर “श्री डी. रामचन्द्र राजू, अवकाश प्राप्त जिला एवं सेशन जज आन्ध्र प्रदेश सरकार” पढ़ा जाये।

[सं. ई(आ) 2-72/ए. पी. 1/2]
एच. एफ. पिन्टो, सचिव**MINISTRY OF RAILWAYS
(Railway Board)**

New Delhi, the 19th December, 1972

S.O. 128.—The name and designation of “Shri D. Ramachandra Raju, District and Sessions Judge, Anantapur” appearing in this Ministry's Notification—Extraordinary Issue—of even number dated 14-8-1972 should be read as “Shri D. Ramachandra Raju, Retired District and Sessions Judge, Government of Andhra Pradesh”.

[No. E(O)II/72/AP1/2]
H. F. PINTO, Secy.

नयी दिल्ली, 28 दिसंबर, 1972

का. आ. 129.—गर्भ का चिकित्सकीय समापन नियम, 1972 के नियम 3 के उप नियम (8) के परन्तुक के खण्ड (2) के साथ पीठत उप-नियम (1) के खण्ड (क) और उप-नियम (2) के अनुसरण में भारत सरकार एतद्वारा 4 अगस्त, 1972 से डा. सी. नरसिम्ह राव, मण्डल चिकित्सा अधिकारी (अस्पताल), मुख्यालय रेलवे अस्पताल, लालगुडा को डा. एम. वी. शर्मा, मण्डल चिकित्सा अधिकारी (एस), मुख्यालय अस्पताल, दीक्षणा मध्य रेलवे, लालगुडा, जो तीन वर्ष की छुट्टी लेकर विदेश गये हैं, के स्थान पर सदस्य सर्जन नामित करती हैं और भारत सरकार के रेल मंत्रालय (रेलवे बोर्ड) की 2 मई, 1972 को अधिसूचना सं. 70/एच(एफ पी)/41/2 में निम्नीलिखित संशोधन करती हैं, अर्थात् :—

उक्त अधिसूचना में इन्दराज 2 में “दीक्षणा मध्य क्षेत्र” शीर्षक के अन्तर्गत, निम्नीलिखित इन्दराज को प्रतिस्थापित किया जायेगा, अर्थात् :—

“2. डा. सी. नरसिम्ह राव, मण्डल चिकित्सा अधिकारी (अस्पताल), मुख्यालय, रेलवे अस्पताल लालगुडा—सदस्य सर्जन”.

[सं. 72/एच (एफ पी)/42/9]

एच. एफ. पिन्टो, सचिव।

रेलवे बोर्ड, एवं भारत सरकार के पदेन संयुक्त सचिव

New Delhi, the 28th December, 1972

S.O. 129.—In pursuance of clause (a) of sub-rule (1) and sub-rule (2) read with clause (ii) of the proviso to sub-rule (8) of rule 3 of the Medical Termination of Pregnancy Rules, 1972, the Central Government hereby nominates with effect from the 4th August, 1972, Dr. C. Narasimha Rao, Divisional Medical Officer (Hospital), Headquarters Railway Hospital, Lallaguda as Member Surgeon in place of Dr. M. V. Sharma, Divisional Medical Officer(s), Headquarters Hospital, South Central Railway, Lallaguda who has proceeded abroad on three years leave and makes the following amendment in the notification of the Government of India in the Ministry of Railways (Railway Board) No. 70/H(FP)/41/2 dated the 2nd May, 1972, namely :—

“2. Dr. C. Narasimha Rao, Divisional Medical Officer (Hospital), Headquarters Railways Hospital, Lallaguda—Member Surgeon.”

[No. 72/H(FP)/42/9]

H. F. PINTO, Secy.
Railway Board,
and ex-officio Jt. Secy.
Govt. of India.

श्रम और पुनर्वास मंत्रालय

(श्रम और रोजगार विभाग)

नई दिल्ली, 2 दिसम्बर, 1972

आदेश

का. आ. 130.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में हिन्दुस्तान कॉमर्शियल बैंक लिमिटेड से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री एस. एच. जे. नाक्वी होंगे जिनका मुख्यालय कानपुर होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्दिष्ट करती है ।

अनुसूची

क्या हिन्दुस्तान कॉमर्शियल बैंक लिमिटेड, जिसका मुख्यालय कानपुर है, के प्रबन्धतंत्र की बाराबंकी शाखा के श्री अहिबरन सिंह भूतपूर्व रांकीड़िया की सेवाओं की तारीख 24 सितम्बर, 1969 से समाप्त करने की कार्रवाई न्यायोचित है? यदि नहीं, तो वह किस अनुतोष का हकदार है ?

[सं. एल. 12012/138/72 एल. आर. 3]

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 2nd December, 1972

ORDER

S.O. 130.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Hindustan Commercial Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an industrial Tribunal of which Shri S.H.J. Naqvi shall be the Presiding Officer, with headquarters at Kanpur and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Hindustan Commercial Bank Limited, Head Office, Kanpur in terminating the services of Shri Ahibaran Singh, Ex-Cashier, Bara Bank Branch with effect from the 24th September, 1969 is justified? If not, to what relief is he entitled?

[No. L. 12012/138/72-LRIII]

नई दिल्ली, 5 दिसम्बर, 1972

आदेश

का० आ० 131.—यतः इस उपाबद्ध अनुसूची में विनिर्दिष्ट औद्योगिक विवाद केन्द्रीय सरकार औद्योगिक अधिकरण, दिल्ली के समक्ष लम्बित है ;

और यतः विवाद से सम्बद्ध संघ ने केन्द्रीय सरकार से मामले को दिल्ली से चंडीगढ़ को अन्तरित करने के लिए अनुरोध किया है ;

और यतः केन्द्रीय सरकार अनुरोध को उचित समझती है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 33ख की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री पी० पी० आर० साहनी होंगे, जिनका मुख्यालय चंडीगढ़ होगा, केन्द्रीय सरकार औद्योगिक अधिकरण, दिल्ली के समक्ष लम्बित उक्त विवाद से सम्बद्ध कार्यवाहियां वापस लेती है और उसे औद्योगिक अधिकरण को जिसके पीठासीन अधिकारी श्री पी० पी० आर० साहनी है, अन्तरित करती है और निर्देश देती है कि उक्त अधिकरण उक्त कार्यवाहियों पर उसी प्रक्रम से कार्यवाही करेगा जिस पर वे उसे अन्तरित किए गए हैं और विधि के अनुसार उसका निपटान करेगा ।

अनुसूची

क्रम सं०	आदेश सं० और तारीख	विवाद के पक्षकार
1	एल० 12012/87/72-एल० आर० III तारीख 13 अक्टूबर, 1972	सेन्ट्रल बैंक आफ इंडिया और उनके कर्मकार ।

[सं० एल० 12012/87/72/एल आर०-3]

करनैल सिंह, प्रवर सचिव

New Delhi, the 5th December, 1972

ORDER

S. O. 131.—Whereas the industrial dispute specified in the Schedule hereto annexed is pending before the Central Government Industrial Tribunal, Delhi;

And whereas the Union concerned in the dispute has requested the Central Government for the transfer of the case from Delhi to Chandigarh;

And whereas the Central Government considers the request as reasonable;

Now, therefore, in exercise of the powers conferred by section 7A and sub-section (1) of section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri P.P.R. Sawhney as the Presiding Officer, with headquarters at Chandigarh, withdraws the proceedings in relation to the said dispute pending before the Central Government Industrial Tribunal, Delhi, and transfers the same to the Industrial Tribunal constituted with Shri P.P.R. Sawhney as Presiding Officer thereof and directs that the said Tribunal shall proceed with the said proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

Sl. No.	Order No. and date	Parties to the dispute
1.	L. 12012/87/72-LR III dated the 13th October, 1972.	Central Bank of India and their workmen.

[No. L. 12012/87/72/LRIII]

KARNAIL SINGH, Under Secy.

New Delhi, the 2nd January, 1973

S.O. 132.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the Central Bank of India and their workmen, which was received by the Central Government on the 28th December, 1972.

[No. L. 12012/112/71/LR III]

KARNAIL SINGH, Under Secy.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 20 of 1972

Parties :

Employers in relation to the Central Bank of India
and
Their Workman

Present :

Sri S. N. Bagchi.—Presiding Officer.

Appearances :

On behalf of Employers—Sri S. M. Basu, Superintendent
On behalf of Workmen—Sri A. D. Singh, Vice-President,
Central Bank Workers' Organisation (Bengal Circle).

State : West Bengal

Industry : Banking

AWARD

By Order No. L. 12012/112/71/LR III, dated 10th March, 1972 the Government of India, in the Ministry of Labour and Rehabilitation, Department of Labour and Employment, referred the following dispute existing between the employers in relation to the Central Bank of India and their workmen, to this tribunal, for adjudication, namely:—

"Whether the action of the management of the Central Bank of India, Calcutta in stopping from October, 1970, the payment of Daftary Allowance to Shri Sobhnath Singh No. I, (recipient of the said allowance from November, 1966) is justified? If not, to what relief is he entitled?"

2. In this reference the management raised a preliminary point as to the entertainability of the dispute under reference and the jurisdiction of this tribunal to adjudicate upon the reference. The union representing the case of the single workman filed a statement of case on behalf of the workman. In paragraph 7 of the statement of case it is stated:

"That Shri Singh made several oral representations and finally one written representation 26-8-71(***) to the management but he was neither paid the daftary allowance nor any reply to his said representation."

3. The matter involved in the reference is not one that falls under Section 2A of the Industrial Disputes Act. The union espousing the cause of the single workman never approached the management with the demand relating to the dispute under reference before approaching the conciliatory authority. So, the matter falls clearly within the mischief of law as laid down in the decisions reported in 1951 I LLJ, p. 219. Raju's Cafe, Coimbatore and Ors. vs Industrial Tribunal, Coimbatore & Another (Madras High Court), Sindhu Resettlement Corporation Ltd. and Industrial Tribunal Gujarat & Ors., 1963 I LLJ p. 834 (Supreme Court) and Fedders Lloyd Corporation Private Ltd. and Lt. Governor, Delhi & Ors., F.L.R. 1970(20) p. 343 (Delhi High Court). The management took this point and urged strenuously that the dispute referred to for adjudication is not an industrial dispute under Sec. 2(k) of the Industrial Disputes Act. The management's contention is correct in view of the law laid down in the three decisions mentioned above. The dispute remaining as such having had not been an industrial dispute

under Section 2(k) of the Industrial Disputes Act, this tribunal has no jurisdiction to entertain the dispute and to adjudicate thereon. Therefore, the reference is rejected.

This is my award.

S. N. BAGCHI, Presiding Officer.

Dated, December 21, 1972.

New Delhi, the 2nd January, 1973

S.O. 133.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in respect of a complaint under section 33A of the said Act filed by Shri Randhir Singh, Driver No. 54-J Aggregate Production Division, B.S.L. Sundernagar which was received by the Central Government on 28th December, 1972.

[No. L. 42012/33/72/LR III]

KARNAIL SINGH, Under Secy.

BEFORE SHRI P.P.R. SAWHNY, B.A. (HONS) CANTAB
BAR-AT-LAW, PRESIDING OFFICER, CENTRAL INDUSTRIAL TRIBUNAL, CHANDIGARH.

Complaint No. 2/40 of 1972

Under section 33-A of the Industrial Disputes Act, 1947

Shri Randhir Singh, Driver No. 54-J Aggregate Production Division, B.S.L. Sundernagar—Complainant.

Vs.

Executive Engineer, Aggregate Production Division, B.S.L. Project, Sundernagar.

Appearances :

Shri Mohinder Singh—for the complainant.
Shri Rattan Lal—for the respondent.

AWARD

Shri Randhir Singh, driver, had filed this complaint under section 33-A of the Industrial Dispute Act, 1947 *inter alia* stating therein that the respondent had not applied mind to the charge levelled against him as also to the reply put in by him and had awarded punishment of warning and had debarred him of further promotion on merit-cum-seniority basis during the pendency of reference No. 2/C of 1971 before this Tribunal without taking prior approval and without ordering holding of any enquiry in respect of the alleged charge thereby depriving him of opportunity to prove his innocence.

2. Before reply could be filed by the respondent Executive Engineer, the authorised representative of the complainant, Shri Mohinder Singh, expressed a desire to make a statement. His statement was accordingly recorded and he has stated that the complainant did not wish to pursue the complaint, and that it may be disposed of as not having been pressed and withdrawn.

3. In view of the statement of Shri Mohinder Singh reproduced above, the complaint is disposed of as not having been pressed and withdrawn.

P. P. R. SAWHNY, Presiding Officer.

New Delhi, the 2nd January, 1973

S.O. 134.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in respect of a complaint under section 33A of the said Act filed by Shri Singh Ram, Token No. 551-G, Beldar, B.S.L. Sundernagar which was received by the Central Government on 28th December, 1972.

[No. L. 42012/34/72 LR III]

KARNAIL SINGH, Under Secy.

BEFORE SHRI P. P. R. SAWHNY, B.A. (HONS) CENTAB
BAR-AT-LAW, PRESIDING OFFICER, CENTRAL INDUS-
TRIAL TRIBUNAL, CHANDIGARH,

Complaint No. 2/32 of 1972

Under section 33-A of the Industrial Disputes Act, 1947

Shri Singh Ram, Token No. 551-G, Beldar C/o. B.S.L.
Workers' Union, Sundernagar **Complainant.**

Vs.

Executive Engineer, Hydrel Construction, Division No. 3.
B.S.L. Project, Sundernagar Township **Respondent.**

Appearance :

Shri Mohinder Singh—for the complainant.

Shri Rattan Lal—for the respondent.

AWARD

This is a complaint by Shri Singh Ram, Beldar under section 33-A of the Industrial Disputes Act, 1947 and it has been *inter alia* stated therein that he had proceeded on leave sanctioned by a competent authority with effect from 9-6-71 to 12-6-71, and he had submitted an application for extension of leave for two days up to 14-6-71 due to his illness, through his co-worker Shri Ramu, beldar, and that when on 15-6-71 he came to report for duty, Shri Arjan Singh, litter, did not mark his presence and he (complainant) then approached the Sub Divisional Officer and the Executive Engineer, but they too did not pay any heed to him.

According to him on 24-6-71 he submitted a representation (copy Annexure 'A') to the Superintending Engineer, Administration and Accounts Circle, B.S.L., Sundernagar, who passed orders, annexure B on 27-10-71 to the effect that his (complainant's) absence may be taken as leave, that may be due. He has also maintained that the action taken by the respondent removing him from service was against provisions of the standing orders as well as against principles of natural justice, and that the aforesaid order was illegal and that since the impugned action had been taken without taking prior permission, during the pendency of reference No. 2/C of 1971 before this Tribunal, there had been contravention of the provisions of section 33-A of the Industrial Disputes Act, 1947.

In the reply to the complaint the undermentioned two preliminary objections have been taken and in respect of merits it has been denied that the complainant had proceeded on sanctioned leave from 9-6-71 to 12-6-71 and it has been added that since the complainant had remained absent from duty with effect from 7-6-71 and had been marked absent in the Foreman's Time card for more than 10 days, that his absence had been treated as voluntary resignation from the job held by him, that his name had been also removed from the rolls as per clause 14 of the certified standing orders relating to staff, that it was wrong for the complainant to maintain that he had been removed from service and that the action taken by the respondent to disallow pay for the period that he remained absent did not form a part of an industrial dispute, and as such the provisions of section 33-A of the Industrial Disputes Act were not attracted, and the complaint ought to be dismissed.

Preliminary objections :

- (i) That the complaint is bad in law in as much as the complainant had neither been discharged nor dismissed from service, and also that the conditions of service applicable to the complainant immediately before the commencement of the proceedings before the Tribunal in respect of reference No. 2/C of 1971 had not been altered;
- (ii) that the period of actual absence from duty was treated as leave due by the appellate authority and no punishment was inflicted upon the complainant by the punishing authority—the appellate authority and that being so, the respondent had not in any manner infringed the provisions of Section 33 of the Industrial Disputes Act, 1947 as alleged by the complainant since the respondent did not alter to the prejudice of the complainant the conditions of service applicable to him immediately before the commencement of proceedings in Reference No. 2/C of 1971 in regard to any matter connected with the said dispute.

In the rejoinder, the complainant has challenged the correctness of the preliminary objections taken by the respondent, and has added that the respondent had not secured approval from the Tribunal before taking action against him viz of removing him from service, as required under section 33(2)(b) of the Industrial Disputes Act, 1947.

On merits, the position taken in the complaint has more or less been reiterated and it has been maintained that since his presence was not recorded when he reported for duty since 15-6-71, it tantamounted to discharge from service.

On the pleadings of the parties, the following issues were framed:—

Preliminary issue

Whether the complaint is not competent, as according to the respondent Executive Engineer, there had been no alteration in the terms and conditions of service to the prejudice of the complainant immediately before the commencement of the proceedings in respect of the industrial dispute forming subject matter of reference No. 2/C of 1971 that is pending before this Tribunal, and in fact that he had neither been discharged nor dismissed from service, and also for the reason that in fact no punishment had been inflicted by the punishing authority or the appellate authority as the period of absence from duty had only been treated as leave due by the appellate authority, and as such there had been no infringement of the provisions of section 33-A of the Industrial Disputes Act, 1947?

On merits

Whether there has been any contravention of the provisions of section 33-A of the Industrial Disputes Act, 1947, in as much as the complainant has alleged that he had been removed from service during the pendency of Reference No. 2/C of 1971, without obtaining prior approval from this Tribunal?

The complainant has examined only himself as a witness, and the authorised representative of the respondent, Shri Rattan Lal, has also examined himself as a witness.

It is hardly necessary to give separate findings with regard to the preliminary objections as the preliminary issue as well as the issue on merits can be more conveniently dealt with together on the material that has been placed on record.

It is the case of the respondent that the complaint was not maintainable as there had been no alteration in the terms and conditions of service to the prejudice of the complainant immediately before the commencement of the proceedings in respect of industrial dispute forming subject matter of reference No. 2/C of 1971 that was pending before this Tribunal and that the complainant had neither been discharged nor dismissed from service on ground of misconduct, and no punishment had been inflicted upon him by the punishing authority or the appellate authority, in as much as the period of absence from duty had been only treated as leave due as per order passed by the appellate authority. The respondent has in this connection cited 1967-II-L.L.J.-883 and 1971-I-L.L.J.-437.

This plea of the respondent is, however, without any substance as it is so borne out from the reply filed to the complaint by the respondent Executive Engineer, wherein it has been stated that since the complainant had been absent from duty with effect from 7-6-71, he had been marked absent in the time card for more than 10 days, and his absence had been treated as voluntary resignation from the job, and therefore, his name had been struck off from the rolls as per provisions of clause 14 of the certified standing orders in respect of the non-factory staff. Needless to state that it is more than clear that service conditions of the complainant had been changed when his name had been struck off from the rolls because of alleged absence without leave/misconduct on basis of alleged voluntary resignation as per provisions of the certified standing orders.

The plea taken by the respondent is also otherwise not sustainable as from the orders of the appellate authority, Ext. C/2, it is to be found that there was no mention whatsoever of any justification for the respondent to have taken the im-

pugned action inasmuch as all has been stated in this behalf by the appellate authority, Superintending Engineer, that the absence of the complainant may be treated as leave due and that the complainant be reinstated. The fact that Superintending Engineer has mentioned the word 'reinstated' definitely implies that services of the complainant had been discharged or terminated. Strangely enough there is no indication in this order as to why the Superintending Engineer chose to treat the period of alleged absence as leave that may be due.

With the given material it is held that the respondent was not justified in removing the name of the complainant from the rolls during the pendency of reference No. 2/C of 1971 on the ground of alleged voluntary resignation for which there is no basis, without obtaining prior approval of this Tribunal as required under section 33(2) of the Industrial Disputes Act, 1947 and as there has been contravention of section 33-A of the said Act.

P. P. R. SAWHNY, Presiding Officer

New Delhi, the 4th January, 1973

S.O. 135.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Post Office Kothagudem Collieries (Andhra Pradesh) and their workmen, which was received by the Central Government on the 27th December, 1972

[No. 7/34/68-LRII.]

**BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD**

Present :

Sri P. S. Ananth, B. Sc., B. L., Presiding Officer, Industrial Tribunal, (Central) Hyderabad

Industrial Dispute No. 2 of 1970

BETWEEN

Workmen of Singareni Collieries Company Limited, Kothagudem.

AND

Management of Singareni Collieries Company Limited, Kothagudem.

Appearances :

Sri M. Komariah, General Secretary, Singareni Collieries Workers Union, Kothagudem for Workmen.

Sri A. Lakshmana Rao, Advocate, for A. P. Singareni Collieries Mazdoor Sangh, Kothagudem for Workmen.

Sri K. Srinivasa Murthy, Hony. Secretary, Federation of A.P. Chamber of Commerce and Industry and Sri V. Gopala Sastry, Assistant Personnel Officer, for Management.

AWARD

The Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) by its Order No. 7/34/68-LRII dated 7th January, 1970, referred the following dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act) for adjudication to this Tribunal, namely :—

"Having in view the recommendations of the Wage Board for Coal Mining Industry and the nature of work that the Sanitary Mazdoors and Scavengers have to perform and other conditions of service such as meagre avenues of promotions available to them, whether the management of Singareni Collieries Company Limited, Kothagudem are justified in introducing weekly holiday without wages in respect of Sanitary Mazdoors and Scavengers? If not, to what relief these workers are entitled?"

This reference was taken on file as Industrial Dispute No. 2 of 1970 and notices were issued to the parties. For the purpose of convenience the Workmen of Singareni Collieries Company Limited, Kothagudem are referred to as the petitioners and the Singareni Collieries Company Limited, Kothagudem is referred to as the respondent in the course of this Award.

2. Some of the petitioners are represented by the Singareni Collieries Workers Union, Kothagudem (hereinafter referred to as the said Union) and the General Secretary of the said Union filed the claims statement contending as follows:—The Sanitary and Medical Department workers of Singareni Collieries Company Limited, at Kothagudem, Bellampalli, Yellandu numbering approximately 400 have been since a long period engaged on 7 days a week and paid wages for all the 7 days. This system of work has been initiated due to the very nature of their work and civic amenities in the Colliery Towns of Kothagudem, Yellandu, Bellampalli etc. These workers whose services were considered as essential services to maintain hygienic and good sanitary condition in the basties of the workers have been granted exemption from the provisions of the Mines Act and other Acts regarding the holidays and rest days. These Sanitary mazdoors and scavengers were getting 30 days wages. It means that it has been their service condition and that was their terms of contract. Even now workers who have been engaged in Kothagudem, Yellandu and Bellampalli Collieries etc., in 1962 were engaged for 7 days and that was their service conditions. The said workmen are debarred to go on strike and will have to work on all the rest days and holidays as all the latrines and basties should be cleaned every day. This job is not at all interchangeable with other workers. There are no avenues of promotion. They have to live in remote corner areas. The Management issued notice on 2nd September, 1968, under Section 9A of the said Act and the said Union disputed it immediately on 4th September, 1968. The Management has no right to effect changes at this stage because I. D. No. 30 of 1967 has been pending before this Tribunal since October, 1967. That reference is for categorisation and wage structure. Therefore the Management has no right to effect the change and thereby reduce the monthly wages. Rule 11 of the Company's Standing Order is that leave with wages shall be allowed to every workmen employed in the Mines who has completed the period of 12 months of continuous service, as provided for in Chapter VIII of the Mines Act and other holidays in accordance with the law, contract, custom and usage. Other holidays means weekly holidays also. The Management had forcibly effected changes and the workers were advised not to work on Sundays with effect from 20th October, 1968. The workers' wages have been cut to the extent of Rs. 30.00 per month as the weekly holidays was introduced from 28th October, 1968 without wages. The sanitary mazdoors work on monthly grades in Municipalities and all of them are getting rest day with pay, the contention of the management that they will appoint few workers to work on weekly holidays cannot be maintained as no new workers have been appointed but nearly 150 workers have been removed from services from the introduction of weekly holidays. The work loads have been increased and some workers are working on weekly holidays and on other days. Only 5 or 6 workers are engaged on weekly holidays and they should work for all the 300 workers job on that day. The present system of work is not practicable as all the basties and latrines should be cleaned every day irrespective of weekly holidays. If the workmen do not work on weekly holidays the basties and latrines will not be cleaned and there is every possibility of spreading diseases. So the said Union had advised all the workers on their own responsibility to work on all the days though the management has not agreed to pay for work on weekly holidays. All the workmen are working till today (the claims statement is dated 3rd April, 1970) on all the weekly holidays in the interest of public health

and also expecting justice from the Management and Government. They are being denied wages for work on weekly holidays. So the Management should be ordered to provide the workmen with work on all the 7 days of a week as usual and pay wages for 7 days with effect from 28th October, 1968.

5. Some of the petitioners are represented by the Andhra Pradesh Singareni Collieries Mazdoor Sangh, Kothgudem (hereinafter referred to as the said Sangh) and the General Secretary of the said Sangh filed a claim statement on their behalf, contending as follows:—The workmen are employed as sanitary Mazdoors and Scavengers in the hospitals, dispensaries, Health departments at othagudem, Bellampalli, Mandamari, Ramkrishnapur, Ramagundam (Godavari Khani) and Yellandu Collieries. These workmen working from time immemorial are discharging the duties assigned to them for 7 days throughout the week without interruptions and they were paid wages for 7-1/2 days. These workmen were engaged in cleaning the basties streets, hospitals, dispensaries, workmen quarters and bungalows and township and for removing nightsoil, wastes as also public latrines etc. These workmen are engaged to keep the Colliery areas and townships free from diseases. These workmen are treated as essential workmen by the management. The management all of a sudden stopped the workmen from performing their tasks on the 7th day of October, 1968 for the reasons best known to them which is illegal and consequently their earnings have been effected i.e. instead of 7-1/2 days wages which they were paid they are now paid only 6 days wages. The workmen were enjoying the above privileges of getting 7-1/2 days wages per week before the Jadhav Award of 1949, and even after the implementation of the Coal Award and upto to October, 1968 after the implementation of the Wage Board recommendations. The contract of service existed between the workmen and the management, by virtue of which the workmen were being engaged for work for 7 days a week from the time immemorial. The Wage Board recommendations did not contemplate to take away the facilities privileges and benefits enjoyed by the workmen but in fact allowed these workmen to continue and the action of the management in stopping these workmen from working on the 7th day amounts to illegal and unfair labour practice. These workmen have no avenues for promotion in their own sphere. It is because of this that the workmen are engaged for 7 days a week and paid 7-1/2 days wages. Mere serving notice under Section 9A intimating that these workmen will not be required to work for 7 days and insisting that they should work only for 6 days a week, is not correct since the contract of service and other factors mentioned above do not attract Section 9A. Since the workmen were being engaged by the management for the past several years for 7 days a week it has become a condition of service and so it cannot be changed. The action of the management in introducing the weekly holidays without wages amounts to unfair labour practice. So the management should be ordered to restore 7 days working as against 6 days working and also to pay the wages for 7-1/2 days with effect from October, 1968 since the workmen are still working 7 days a week.

4. The respondent filed its reply statement contending as follows:—The reference made by the Government of India is not maintainable as the Medical and Sanitary Department with which the workmen are concerned do not fall within the concept of industry. The Medical and Sanitary Department is not embarked on an economic activity which can be said to be analogous to trade or business. Before a dispute between an employer and his employees could be referred for adjudication, it must be established that both the employer and employees were associated in some form of industry. In the case of employees employed in the Medical and Sanitary Departments the relationship between the employers and employees associating in some form of industry is not present. The workmen in question are employed in the Medical and Sanitary Department of the Company at Kothagudem. The duties performed by these workmen have no connection whatsoever with the Mining operations. The Medical and Sanitary Departments cannot be termed as a Mine and so an industrial dispute raised by the employees engaged in such a department is not an industrial dispute concerning the Mine. Definition of Mine under Section 2(j) of the Mines Act excluded the Medical and Sanitary Department and as such there should be no doubt that such department of the Company is not within the definition of Mine. The definition of "a person employed in a Mine"

under Section 2(h) of the Mines Act shows that the persons employed in the Medical and Sanitary Department of the Company cannot be said to be performing Mining Operations. The work which is incidental to and connected with the Mining operations must have some connection with the mining operations themselves. The work that is carried on by the Sanitary Department principally consists of removal and disposal of refuse and nightsoil and sweeping of roads etc., and has nothing to do with any of the mining operations. An industrial dispute concerning a Mine under Section 2(i) of the said Act does not include Medical and Sanitary Department of the Company. So the reference is not maintainable and so this Tribunal has no jurisdiction to adjudicate upon the same. In view of the existing financial losses it will not be possible for the Management to absorb any additional financial burden and so this Tribunal should consider the financial capacity of the Company while giving its award on merits. Without prejudice to the preliminary objections, the management states that the demand of the workmen is not justified even on merits. The weekly rest day for the manual workers is a well recognised concept and it is also in accordance with the I.L.O. Convention No. 14 of 1921 ratified by the Government of India in 1923. The demand of the Union that the workmen should be allowed to work on all the 7 days in a week is against the said I.L.O. convention and also against the principles of health and welfare of the working class. It is also a social objective of the State to ensure that all the workmen are allowed rest to enjoy leisure in line with the spirit of the directive principles of the Constitution, and I.L.O. convention. As this is a social piece of legislation. It was well intended to benefit all sections of the workmen including the workmen of Medical and Sanitary Department. No doubt the Sanitary workmen at Kothagudem, Yellandu and a section of Sanitary workmen at Bellampalli were working on all the 7 days in a week while Sanitary workers of other Divisions, were working on 6 days in a week. The Unions are fully aware of the Managements' intention to introduce weekly days of rest as far back as 1961. The issue of introducing weekly day of rest was, however, deferred on the request of the union from time to time and in the meantime Wage Board for Coal Mining Industry was constituted and it was proposed to await the recommendations of the Wage Board so that the impact of this change on their total emoluments may not be felt by these workmen. The demand of the workmen virtually amounts to a demand for work on a play day. It is the managements' exclusive right to decide who should be engaged on a play day. The Union and workmen cannot demand that a particular workman or a group of workmen should be engaged for work on a play-day. When all the thirty thousand workmen of the Collieries are availing playday and no daily rated workman is paid for the weekly day of rest, there is no specific justification to employ Sanitary Mazdoors of the Medical and Sanitary Department numbering about 400 on playdays contrary to the universal practice. Even in Municipalities, who look after the sanitation of the towns, the Sanitary workers are availing weekly days of rest. Since the daily rated workers of Medical and Sanitary Department have been working on all the seven days in a week without rest from a long time contrary to the universal practice, it was felt not desirable to perpetuate this practice both in the interests of the workmen and the Company and society at large and the Management gave a notice to all concerned in accordance with the provisions of Section 9A of the said Act on 2nd September, 1968 stating their intention to introduce the weekly day of rest with effect from 30th September, 1968. Since the Singareni Collieries Workers Union raised an industrial dispute on this issue, the Management could not go ahead with the introduction of weekly day of rest. A similar dispute was raised by the Andhra Pradesh Singareni Collieries Mazdoors Sangh in respect of daily rated Sanitary workers employed in the Main hospital. The contention of the Union that the workers of Medical and Sanitary Department are exempted from the Mines Act is not correct. As the Mines Act does not apply to the workmen of the Medical and Sanitary Department, the question of exemption from any of the provisions of Mines Act does not arise. The Union was already informed of the same by the Government of India in some of their earlier correspondence. The allegation of the Union that the change effected by the Management has reduced the monthly wages of the workers is not correct. The Coal Award as well as the Wage Board primarily worked out the need based requirements of the workmen's family for the full month and then fixed the minimum wage (lower limit of the fair wages) on the basis of 26

days in a month. Paragraph 25, Chapter VII of the Wage Board Report will clearly indicate that the Wage structure for workers has been so computed as to compensate for the weekly day of rest also and the question of paying any extra wages for daily rated workers for rest day does not arise. The Sanitary Mazdoors were paid weekly day of rest for work done on playdays and the question of any payment does not arise when they are given rest. The nucleus of staff who are essentially required are still being employed on playdays and they are being paid wages for working on playday. The workmen have neither suffered nor lost any of their benefits which accrued to them under the Wage Board recommendations. The rates in force for workers of the Sanitary Department are Rs. 5.00 being the minimum wage and Rs. 6.00 being the maximum wage per day for sweepers of Category I and the minimum daily wage is Rs. 5.36 and the maximum daily wage is Rs. 6.55 for Scavengers of Category II. They are also allowed V.D.A. based on cost of living index which works out to Rs. 1.53 per day at present besides Attendance Bonus at 10 per cent of the basic pay and profit sharing bonus at 4 per cent. Taking into account the five increments already earned by almost all the workers, the total present emoluments of a sweeper are Rs. 9.73 per day and the total present emoluments of a Scavenger are Rs. 10.40 per day including all concessions. The present emoluments work out to Rs. 252.98 per month for Sweepers and Rs. 270.40 per Scavenger even after excluding payment for weekly day of rest. These emoluments are more than double compared to the wages and emoluments of Sanitary Mazdoors employed in local Municipalities. These workmen are categorised according to the nature of job and in order to ensure that their wages will not remain static, the previous Awards as well as Wage Board have recommended increments for a span of ten years in addition to the V.D.A. payable on the cost of living index. The reference is misconceived since it has been made on a wrong assumption that the workers herein concerned have meagre avenues of promotion available to them. They also have scope for promotion by accepting transfer to other posts in the mines. The reference of the Rule 11 of the Company's Standing Order has no relevancy to the present dispute. It is denied that even though these workmen are not booked for work on weekly day of rest, they are working on all such days. No disease was found spreading in the bathsties from the time the weekly day of rest for Sanitary workers was introduced in 1968. As such the Unions allegation that by introducing the weekly day of rest there is every possibility of spreading of contagious disease is not based on facts. These workers when they were allowed to work on weekly holidays, were working five hours only on such days and they were getting full muster. The Sanitary Inspector who supervises their work on all the working days avail weekly day of rest and there is not much of supervision on their work. The work which is carried out by them on weekly days of rest is almost negligible. These workers enjoy full rest on 7 paid holidays in a year like others and no cleaning work is done on those days. Likewise there is no difficulty if they are allowed weekly day of rest. The present allocation of work indicates that the mazdoors are not attending all the localities on all the days. All the localities are attended to once in three or four days or some times in a week. The Scavengers also need not attend to the flush but latrines every day. It may, however, be necessary to engage few Scavengers for manual removal of night soil for service latrines for which the management have made arrangements for attending to this work on weekly days of rest. The allegation that the work load of the workmen who are booked for work on weekly days of rest has increased is not based on facts. The Management assures that the sanitation in the bathsties and the health of the workers is uppermost in their mind and this will not be a dispute for the Union to raise. The Union's contention that the management have no right to effect the change at this stage in view of I. D. No. 30 of 1967 is not correct. If the Union's contention is that the subject matter of the present dispute is also one of the matters now pending in I. D. No. 30 of 1967, the Union would have been estopped from raising an industrial dispute and the second reference by the Government would become infructuous. As the change has been effected after giving notice under Section 9A of the said Act when there was no pendency of conciliation proceedings or otherwise, the action of the management is legal and justified. As the provisions of the said Act do not apply in the case of workers of Medical and Sanitary departments, the reference is liable to be rejected. This Tribunal may also declare that the Government of India is not an appropriate Government in so far as workmen of Medical and Sanitary

Department are concerned to refer the dispute for adjudication.

5. The dispute that is now referred to this Tribunal for adjudication is whether the Management of Singareni Collieries Company Limited, Kothagudem are justified in introducing weekly holidays without wages in respect of Sanitary mazdoors and Scavengers having in view the recommendations of the Wage Board for Coal Mining Industry and the nature of work that the Sanitary mazdoors and Scavengers have to perform and other conditions of service such as meagre avenues of promotion available to them?

6. The petitioners are the Sanitary Mazdoors and Scavengers who are working in the Sanitary and Medical Department of Singareni Collieries Company Limited at Kothagudem, Bellampalli and Yellandu who according to the petitioners are said to number approximately 400. It is common ground that these workmen were previously engaged for all the 7 days in the week and that on the 7th day though they worked for five hours they were given full muster for that day and that this continued even after the implementation of the Wage Board recommendations and that the respondent introduced the weekly holiday with effect from October, 1968. Now the petitioners contend that they are entitled to work for 7 days in the week and that the respondent should be ordered to restore the 7 days of working as against 6 days working in the week and that by asking them not to work on the 7th day they are losing wages for that day. The petitioners have examined W. Ws. 1 to 5 on their side and the respondent examined M. Ws. 1 and 2 and marked Exs. M1 to M11 on its side.

7. Before considering the question whether the action of the respondent in introducing weekly holiday without wages is justified or not, some of the other contentions raised by the respondent in its reply statement may be disposed of. One of the contentions raised by the respondent in its reply statement is that the reference itself is invalid as the Medical and Sanitary Department with which the workmen are concerned does not fall within the concept of industry. At the time of the arguments the respondents' representative Sri K. Srinivasa Murthy represented that the respondent is not pressing this objection and so it is not necessary to give any finding as regards this objection.

8. The next contention raised in the respondent's reply statement is that the petitioners are not workmen and that before a dispute between the employer and employees could be referred for adjudication it must be established that both the employer and employees were associated in some form of industry and that the work that is carried on by the Sanitary Department principally consists of removal and disposal of refuse and night soil and sweeping of roads and that it has nothing to do with any of the Mining operations. Even as regards this objection at the time of arguments the representative of the respondent Sri K. Srinivasa Murthy represented that the respondent is not pressing this objection also. So there is no necessity to give any finding on this objection.

9. Another contention that is raised in the reply statement of the respondent is that in view of the existing financial losses it would not be possible for the management to absorb any additional financial burden and so the financial capacity of the Company also should be considered by this Tribunal while giving its award on merits. The respondent examined M.W.1 (G. V. S. Sastry) who is the Chief Cost Accounts Officer, Kothagudem. He says that the number of Sanitary workers who were working for 7 days in a week previously was about 300 and that if these 300 persons are allowed to work now on the 7th day also the amount that has to be paid for the working on the 7th day in the week will come to about Rs. 1,70,000/- or 1,75,000/- per year, that Ex. M1 is the statement prepared by him showing the financial position of the Company from 1965 to 1970-71, that the accumulated loss so far is about Rs. 5 crores 75 lakhs, that Ex.M2 is Annual Report and Accounts of the year 1970-71 and that it gives all the particulars in the year. No doubt, as contended by the respondent, the question of financial capacity also should be considered if the respondent is asked to share any additional financial burden, but this contention will hold good only if for the first time any fresh demands are made by the workmen involving additional financial burden. But so far as the present case is concerned it is an admitted fact that the workmen in this case were being paid for all the 7 days in the week and that they were doing work on all the 7 days in a week. According to the petitioners, since the respondent has introduced weekly holidays without paying for that day, they are losing wages for that

day and that they are prepared to work on the 7th day also and so the respondent should pay the wages for all the 7 days. Even in the reply statement the respondent had categorically stated that no doubt the Sanitary workmen at Kothagudem, Yellandu and a section of workmen at Bellamoalli were working on all the 7 days in a week while Sanitary workers of other divisions were working 6 days in a week. So it is clear that previously these workmen were being paid for all the 7 days in the week for work and that in view of the introduction of weekly holiday these workmen have to work only 6 days in a week. So if the petitioners prove that they are entitled to work on all the 7 days in the week and that they should be paid wages for all the 7 days as was the case previously, then the respondent is bound to pay for the 7th day also if they work on the 7th day. So the question of financial capacity or incapacity of the respondent to bear any additional financial burden does not at all arise, because it is in evidence that even during the time that the respondent was suffering loss, these workmen were paid for all the 7 days in the week. So there is no force in the contention of the respondent that financial capacity of the respondent to meet additional financial burden should also be considered while passing the award. I am satisfied that there is no force in the contention of the respondent that the financial capacity to bear the additional financial burden should also be considered in this case.

10. Now coming to the merits, all that has to be seen in this case is whether the respondent is justified in introducing weekly holiday without wages. W. W. 1 (O. Muni) is working as Sweeper. He says that he used to work on all the 7 days in a week, that the sweepers work 5 hours on Sunday, that they are given seven musters in a week, that if they work from 7.00 a.m. to 3.00 p.m. On Sundays they are given 7 1/2 musters, that they were paid wages according to the Wage Board recommendations from August, 1967 to October, 1968 that the work on Sundays is stopped from October, 1968 and they are given 6 musters in a week. W.W.2 (Gangarapu Odellu) is working as Sanitary Mazdoor at Kothagudem. He says that he digs drains and sweeps the lanes and kills stray dogs, that they cut bushes and sweep roads, that they remove the carcasses of cattle and dead bodies of destitutes, that they remove dust in the streets in which the coal miners reside, that they used to work for all the 7 days in a week, that they used to work from 7.00 a.m. to 12.00 noon on Sundays and they were paid full wages for those days, that even scavengers used to do their work as they were doing, that they worked for 2 months after the issue of notice on 28-10-1968, that since then they are working for 6 days in a week, that on Sundays they were not given any work, that they mazdoors are about 100 in number, that no one attends to their work in their absence, that they are ready and willing to do usual work on Sundays, that they want wages to be paid on Sundays as they were paid previously, that if a carcass is laying in a street on a Sunday and if it is not removed immediately on that day it will give stinking smell by the next day, that on that day their work is more, that they have to incur more expenditure than the other workers who work in the Mines. In his cross examination he says that they worked for two months on Sundays also after 28-10-1968 under instructions of Komariah, Union representative, that one G. Durgiah who was a sanitary mazdoor had been promoted as muccadam, that Katayya, Errikala Posham, Gurralla Rajam and E. Ramulu who were Sanitary mazdoors were promoted as Muccadams and one Hemraj was promoted as a Pcon, that one Abdul Baqui, who was a Muccadam has been promoted as Health Inspector, that one William Cry and Shaik Mahboob who were Muccadams were promoted as Vaccinators and that he does not have necessary qualification to be promoted as Vaccinators.

11. W.W.3 (K. Pothuraju) is working as Scavenger at Kothagudem. He says that prior to October, 1968 they were working for 7 days, that no Scavenger was promoted as Muccadam during the past five years and that they want work on Sundays and wages which were paid previously. In his cross examination he says that they clean service latrines, that in the Bungalow of officials there are flush out latrines, that one Hemraj, who was scavenger was promoted as Muccadam prior to five years, that he has no certificate necessary for being promoted as Vaccinator or Assistant Sanitary Inspector, that they are now getting more than what they were getting prior to the Wage Board recommendations, that during the past two years that is after 28-10-1968 he got his turn for Sunday work for five or six times, that they

are given musters on Sundays if they are booked for that day and that on Sundays other workers are also not paid wages.

12. W.W.4 (K. Rajam) says that he first worked as Sanitary Mazdoor and that now he is working as Muccadam at Bellampalli. He says that there are 95 sanitary mazdoors working at Bellampalli, that when he joined service they had no play day, that they worked all the 7 days in a week, that they were daily rated but wages were paid once in a week, that they worked for 7 days in a week for one year after the implementation of the Wage Board recommendations, that the Muccadams get the streets swept and drainage channels cleaned, that if the carcasses of any animals are laying in streets or elsewhere they have to remove them, that even if some stranger dies the dead body has to be removed by them, that all the streets and drainage channels at Bellampalli have to be cleaned by sanitary mazdoors, that now the strength of the sanitary mazdoors has gone down, that the town is developed and so the work that has to be done by the sanitary mazdoors has increased, that they are given play day on Thursday, that no one attends to the roads or the drainage channels on that day, that on Fridays when they go to the work they attend to the cleaning of the roads, drainage channels and that on Friday also they are paid one day's wages, that he worked for 18 years as sanitary mazdoor. In his cross examination he says that there are sanitary mazdoors working in Mandamari and Ramakrishnapur, but he does not know for how many days they work in a week, that he was in old Category III and that after the Wage Board he was given new Category II, that he was working 7 days in a week when he was working in old Category III, that when they were working 7 days in a week previously the scavengers working in the mines were working only for 6 days in a week, that they were given previously 7 paid holidays in a year, like Independence day, Deepavali etc., and on those days they did not work, that when they were working 7 days in a week they were paid wages for the 7th day only if they worked on that day, that now they are given holidays on every Thursday, that for each basti four of them go and work, that they go to each portion of the basti on every alternate day by rotation, that they are saying that they will work on 7th day also because if they do not work on 7th day the filth would get accumulated and if for instance any animal dies it would be decomposing for two days and it would be emitting bad smell on the day, that they again come for work bearing this smell they have to clean up the area, and that if they clean up the area daily, there would not be this accumulation of filth, that he does not know whether any scavengers work under any Municipality and Panchayats and that any such persons work only for 6 days in a week, that it is no doubt true that the Government says that one day in a week should be a rest day but in their case it is only since three years they are asked to work for 6 days and that it is not correct to say that they and the scavengers in the Mines get the same pay as per Wage Board. In his re-examination it is elicited that no extra hands had been engaged by the Company and that the Company is getting 7 days work done by them in 6 days and that they are not paid anything extra.

13. W.W.5 (Maturi Mallaiah) is working as Sanitary Mazdoor at Bellampalli. He says that he sweeps the roads, cleans the drainage channels and removes the carcasses of dead animal, and remove the corpses of human beings if there is no one to attend upon them, that they were doing work for 7 days in a week, that on play days they used to work only for five hours and they were given one muster for that day, that they are now asked to do the work for 6 days only in a week, and they are given 6 musters only in a week since October, 1968 but now the work has increased as the town is developed, that however the strength of the sanitary mazdoors has gone down since 1963, that Thursday are playdays for them, that no one attends to their work on those days, that if any animal dies on that day it will be lying like that till the next day and so they have to attend their work on Friday but they are given one muster for Friday, that one has to work for 15 or 16 years as mazdoor to get promoted as Muccadam and that till now muccadam was not promoted as Inspector. In the cross examination he says that he is working as Sweeper, that daily he works in one basti, that in each basti there are several areas and he goes to one of those areas in the basti, that all the workers in the Mines also having holiday on Thursday, that he says that he wants to work on all 7 days because if he does not work on the 7th day again on the next day he has to do more work because there would be accumulated filth and dead

animals and that they do not work on paid holidays like Independence Day, May Day etc.. In his re-examination it is elicited that though they are asked to work only for 6 days no extra hands had been engaged by the Company, that they are doing work 7 days in 6 days and that their holiday is on Thursday and that when they work on the following Friday they are not paid any extra wages.

14. M.W1 says that till the implementation of the Wage Board recommendations the Sanitary workers in Kothagudem, Yellandu and Bellampalli were working on all the 7 days in a week, that there are other divisions, namely, Ramagundam Mandamari and Ramakrishnapur where the Sanitary workers are working only 6 days in a week, that there are also scavengers working in all the divisions, who are separate from the Sanitary workers, that they have also been working from the beginning only for 6 days in a week, that all the daily rated workers are not paid on weekly holidays or play days, that the previous awards were passed only on the basis of 6 days work in a week, that if the daily rated workers work on play day they would be given daily allowance plus their wages for the day, that this allowance is known as Play day Allowance, that when any one works on play day he is given compulsory rest, that is, compensatory day off that he would not be paid any wages for the compensatory day off, that the Sanitary workers get about Rs. 32/- to 34/- for 7 days of work, if they work for 7 days and that immediately after the Wage Board the wages that they get for a week of 6 days will be of about Rs. 38.00. In his cross examination he says that now the strength at Kothagudem will be about 175 to 200, that the sanitary staff has to attend to the cleaning and sweeping of roads, that previously it was the Company which was getting the work of cleaning and sweeping roads and scavenging work for the whole of Kothagudem town alone, that is, till the middle of 1971 and afterwards a Notified Area Committee was formed, that for Bellampalli the Company was attending to the sweeping and scavenging for the whole of Bellampalli town, that even now it is the Company which is looking after this work, that it is difficult to say the population at Bellampalli, that it is not correct to say that the population had increased at Kothagudem, Bellampalli and Yellandu abnormally from 1950 and so the sweeping and scavenging work had increased, that at Kothagudem the area to serve has also decreased, that the colonies at the Company at Kothagudem are not covered by the notified area committee beyond 5th Incline, that there is no such Committee for Bellampalli, that the sanitary staff at Kothagudem, Bellampalli and Yellandu have been working 7 days in the week till 1968 as far as he knows, that they get wages only for the days that they work, that now they are only working for 6 days in a week, that on the 7th day in a week the Company is not engaging any other persons for attending to the cleaning and scavenging work at Kothagudem, Yellandu and Bellampalli, that the under ground scavengers are working only 6 days in a week, that the Mines would be closed one day in a week and it is the play day, that the Wage Board had fixed the wage structure on the basis of 26 days of work in a month on the basis that with those wages they can survive for 30 or 31 days in a month, that is, the calendar month, that it is not according to it that the Company fixed 6 days of work in a week but it was fixed as per law, that it is only about 300 out of 28,000 daily rated workers who were enjoying the benefit of working for 7 days in a week and it is the sanitary staff and that now they are working for 6 days and their wages are calculated for 6 days.

15. M.W.2(Dr. B. K. De) is working as Medical Officer in Kothagudem Collieries Main Hospital. He says that that the sanitary mazdoors, and scavengers were working previously for 7 days in a week in Kothagudem, that is, prior to 1968 September or October, that this practice was at Yellandu, that in Bellampalli-Division about 80 or 90 workers were working for 7 days in a week, that in the other Divisions they are working for 6 days in a week, that Ramagundam Division is there since more than 10 years, that at the time when he worked at Ramagundam in 1960 the sanitary mazdoors and scavengers there were working only for 6 days in a week, that Ex. M3 is the copy of the notice under Section 9A of the Industrial Disputes Act that was issued, that after the issue of this notice the Union raised a dispute, that similar notice was issued at Bellampalli also, that Ex. M4 is the copy of the letter received from the Government stating that they had received the conciliation report that Ex. M5 is the copy of notice issued by the Company introducing the work of 6 days in a week at Kothagudem (Yellandu and Bellampalli, that to his knowledge the Management wanted to introduce the system of working for 6 days in a week in 1961 itself and the

General Manager also sent a letter to the Chief Surgeon as regards this matter, that Ex. M6 is the copy of that letter, that as per this letter they had to give rest for one day in a week to the concerned workers, that Ex. M7 is the copy of the letter written by the Chief Surgeon to the Deputy General Manager, that the Union Secretary met the Chief Surgeon when the original of Ex. W6 was issued and represented that 21 days notice should be given and the Chief Surgeon mentioned about this fact in the original of Ex. M7, that Ex. M8 is the copy of another letter sent by the Chief Surgeon to the Deputy General Manager in view of the request made by the Secretary of the Union, that Ex. M9 is the copy of the letter addressed by the Chief Personnel Officer to the Secretary of the Union, that Ex. M10 is the copy of the letter written by the Secretary of the Union to the Government and Ex. M11 is the copy of the reply received by him from the Government, that the Government in its reply the original of Ex. M11 stated that the workers were not covered by the Mines Act and so the question of exemption did not arise, that the Company did not pursue the matter of introducing the system of working for 6 days in a week, that since the Wage Board was constituted in 1962 the Management wanted to wait for the Wage Board Recommendations, that the Wage Board recommendations were implemented from 15-8-1967 but the system of working for 6 days in a week was introduced on 27-10-1968, that the Management wanted to introduce this system along with the implementation of the Wage Board recommendations but the Union was not agreeable and so this matter was delayed, that previously the roads were 'kacha' and now the roads are 'pucca' that the main roads were black topped, that most of the workers' quarters have flush out latrines, that only few have no such flush outs, that sanitary mazdoors attend to the cleaning of the same area once in three days in a week, that except service latrines, flush out latrines need not be attended to every day, that the total strength of the workers in the whole Colliery is about 30 to 31 thousands that out of them 28 thousands or 29 thousands would be daily rated, that the daily rated work for 6 days in a week that they are not paid any wages for weekly rest day, that if they work on play day they are given 1-1/2 times the wages, that there are scavengers attached to the Mines who work for 6 days in a week like all the Mines workers, that sanitary mazdoors who were in old category of I are now in new Category I, that the Scavengers were previously in old Category II and they are now in New Category II, that before introducing the Wage Board recommendations the sanitary mazdoors were getting about Rs. 34 per week when they worked for 7 days, and scavengers were getting Rs. 38/- per week for 7 days of work in a week, that now the sanitary mazdoors are getting Rs. 51/- to Rs. 52/- for a week of 6 days and scavengers are getting Rs. 55/- or 56/- per week for working for 6 days in a week, that they are paid wages as per the recommendations of the Wage Board, that in the other Mines also whoever was in old Category I was given new Category I, that the scavengers working inside the Mines are given some extra allowance, that the surface workers also get the same wages fixed by the Wage Board, that the sanitary workers in the Municipalities work for 6 days in a week, that the sanitary mazdoors and scavengers in the Municipalities get about Rs. 124/- or Rs. 125/- per month whereas the sanitary mazdoors of his Company get about Rs. 215.00 to Rs. 220.00 per month and the Scavengers are getting more than the sanitary mazdoors and that this pay of theirs is excluding Employees Share of Provident Fund and Profit Sharing Bonus, that sanitary muddadams are recruited from experienced sanitary mazdoors that sanitary muddadams are in new Category II, that some of the muddadams who were literates were appointed as Vaccinators, Assistant Sanitary Inspectors, that Kothagudem area is now a notified area, that the scavengers of the Company are attending only to the service latrines and the Company's employees laterines, that these scavengers are not attending to the houses of the individual civil population, that these workers were supposed to work for 8 hours, that they are provided with carts also for removal of refuse, that they need not carry refuse to a great distance, that these workers were not working on paid festival holidays prior to the introduction of the scheme of working only for 6 days in the week, that it is not correct to say that the work load has increased in view of the introduction of one day's rest, that once in a month or two some dead animals may found on the road and that even now they engage some mazdoors and scavengers on holidays and on Sundays if they find it absolutely necessary, that the weekly day of rest is provided by the I.L.O. (International Labour Organisation) in 1921 itself and that India Government accepted it in 1923 and that actually working for 7 days for a week is illegal. According to the respondent

the present strength of sanitary mazdoors and scavengers is adequate.

16. In his cross examination M.W.2 says that the sanitary mazdoors and scavengers at Kothagudem Yellandu and some at Bellampalli were working for 7 days in a week till October, 1968, when the scheme of work for 6 days in a week was introduced, that at Bellampalli about 80 or 85 persons were working for 7 days both sanitary mazdoors and scavengers put together, that all the sanitary mazdoors and scavengers who were working on all the 7 days in a week were working 8 hours per shift and on Sunday they were working 5 hours per shift but they were given full 7 days musters till October, 1968, that after 1968 they are given six musters for a week, that on Sunday there is no Supervisory Staff to supervise the work of these workers and further in their own interest they should not work on 7th day against the provisions of I.L.O. and so the scheme of asking them to work only for 6 days in a week was introduced that it is only for the first time that he came to know from the original of Ex. M6 that the management was aware of the rule that one day rest should be given, that this practice of giving 7 musters in a week continued even after 1961, that he says that asking the workers to work for 7 days in a week is illegal because there is the provision of I.L.O. which had been ratified by the India Government that he does not know whether the Wage Board has said that a worker should not be allowed to work on all the 7 days but what he knows is that the Wage Board had referred to 6 days of work and one day of rest in a week, that none of the workers in the hospitals work for 7 days in a week, that the strength of sanitary mazdoors and scavengers at Yallandu is 30, that the scavengers clean the latrines including the community latrines and the sanitary mazdoors clean the refuse and dump them and cart them away, that their main work is only of removing the refuse from the streets, that when they work for 6 days on the 7th day no one else will do that work unless there is emergency when some workers may be called but such an emergency also will not arise often, that when these workers at Kothagudem come to duty on the following Monday after rest on Sunday, they are not paid any extra wages for that day as it is only the normal day of work, that at Bellampalli labour strength is decreased like in Kothagudem, that 98 per cent of the sanitary mazdoors and scavengers are illiterates, that the promotion from sanitary mazdoors is to the post of muccadams, that if a sanitary mazdoor is wholly illiterate there is no chance of promoting him to the post of muccadam, that even before the Wage Board recommendations, in 1961 the management was thinking of introducing the scheme of asking these workers to work for 6 days in a week but they could not implement this scheme since Wage Board was constituted in 1962 and as they waited for the report of the Wage Board, that he does not know whether in Mazumdar's Award there was no prohibition of working for 7 days in the week, that so far as Municipalities are concerned the sanitary staff is paid monthly and that there are no daily rated categories there.

17. So from the evidence of the witnesses referred to it is seen that so far as this Sanitary Mazdoors and Scavengers at Kothagudem, Yellandu and some at Bellampalli are concerned they were working on all the 7 days in a week and getting their wages, that even in the year 1961 the respondent wanted to introduce the weekly day of rest since all the other workers in the Mines of the respondent were having rest for one day in the week but the Union intervened and that there were also conciliation proceedings and that finally the respondent introduced the weekly day of rest from October, 1968. Now the reason given by the respondent for introducing this weekly rest day for these workers also is that even for the workers and that it is in the interest of the workers and Company to give one day off in a week. No doubt it is also in evidence that even though the weekly day of rest was provided by the I.L.O. in 1921 itself and even though India Government had accepted it in 1923, so far as the respondent is concerned it did not introduce this weekly day of rest so far as the claimants are concerned and that it is only for the first time it wanted to introduce this weekly day of rest in 1961. But simply because the respondent did not introduce the weekly day of rest all the years till 1961 it does not mean that the respondent is debarred from introducing the weekly day of rest when it is seen that all the other workers under the respondent are given weekly day of rest and when other workers in other company's are given one day off. It is now seen

from the evidence referred to that it is only after issuing the relevant notice under Section 9A of the said Act that the respondent introduced the weekly day of rest. Now the introduction of this weekly day of rest, so far as the petitioners are concerned, is only in a line with the weekly day of rest given to all the other workers of the respondent. The evidence of M.W.2 also shows that on Sundays there is no supervisory staff to supervise the work of these workers and further in their own interest they should not be allowed to work on all the 7 days in a week and so this scheme of asking them to work only for 6 days was introduced.

18. Now the evidence adduced on the side of the petitioners is to the effect that if they do not work on the 7th day then there would be accumulation of refuse and so when they come on the next day they have to do double the work and so there is an increase of work load and that there is no extra payment made for that day and that if any animal dies on the day of rest and if it is allowed to remain till the next day on the road or any other place it would emanate bad smell and that the health of the persons nearby would be affected and that no other persons are engaged on the day of rest to remove these dead animals but from the evidence adduced on the side of the petitioners it is also seen that when there are holidays like Independence Day, May Day, Deepavali etc., the workers do not work and so when they come on the next day they do the normal work without getting any extra wages. So it is only in the same way that the petitioners have to work when they come on the next day of weekly day of rest. It is also seen from the evidence of W.W.5 that daily he works in one basti, that in each basti there would be several areas and that he goes daily to one of those areas in the basti which shows that he does not go to the same area in the basti every day in the same basti. The evidence of W.W.4 is also that for each basti four of them go and work and that they go to each portion of the basti on every alternate day by rotation. So this also shows that the petitioners do not go and work daily at the same spot and that they go to the spot every alternate day. The evidence of M.W.2 is that even now they are engaging sanitary mazdoors and scavengers on holidays and Sundays if they find it absolutely necessary. The evidence of W.W.3 is that they are given musters on Sundays if they are booked on that day and that so far as he is concerned he got his turn for Sunday work five or six times. So it is clear that whenever any necessity arises for doing work on the weekly day of rest some persons are engaged to attend to the work. If it is the case of the petitioners that there had been increase of the work load due to reduction in the number of workers, then they have to agitate this matter separately. So there is no force in the contention of the petitioners that their work load increases on the next day of the day of rest and that they should be permitted to work on all the 7 days of the week.

19. At this stage reference may be made to the recommendations of the Wage Board for Coal Mining Industry also to see whether the claim of the petitioners that they should be permitted to work on all the 7 days in a week is justified because in the present reference it is mentioned that having in view of the recommendations of the Wage Board for Coal Mining Industry whether the action of the management is justified in introducing the weekly holidays without wages. No doubt in the recommendations of the Wage Board it is not specifically mentioned that all the workers should be given weekly day of rest but a perusal of the recommendations of the Wage Board shows that the Wage Board had proceeded on the basis of work for 6 days in the week while fixing the Fair Wages either weekly or monthly to be paid to the workers. No doubt it is contended for the petitioners that the Wage Board in paragraph 10 at page 165 Chapter XVIII Volume I of its recommendations had observed that all existing higher and better rates of wages, allowances, emoluments and other service conditions, facilities and amenities which are more favourable than those recommended by the Wage Board shall be protected and so in this case when the petitioners had all along been working for 7 days and getting wages for all the 7 days in the week the respondent is not justified in now introducing the weekly day of rest without wages and that if the respondent wants to introduce the weekly day of rest then it must give weekly day of rest with wages and that by the introduction of weekly day of rest the petitioners are losing wages for one day in the week. But, as already stated, the Wage Board had proceeded only on the basis of 6 days of work in a week.

20. Now the only point that deserves consideration in this case is whether the petitioners are really deprived of wages of one day or whether the wages they are now paid show that they have not really lost any wages due to the introduction of weekly day of rest. If it is found that there is no loss of wages by the introduction of 6 weekly day of rest then the action of the management in introducing the weekly day of rest without wages will be justified. W.W. 2 says that prior to Wage Board they were paid Rs. 40.00 per week, that is, for 7 days, that after the Wage Board recommendations were implemented they were paid Rs. 195.00 per month that now they are only paid Rs. 160.00 on the basis of 6 days of work in the week and so they are losing Rs. 30.00 per month and that because of this Profit Sharing Bonus is also reduced. W.W.3 says that prior to the Wage Board they were paid Rs. 42.00 per week if they worked for 7 days, that even after Wage Board they were getting Rs. 192.00 or Rs. 194.00 including allowance per month, that after holiday was declared on Sunday they were paid Rs. 170.00 per month and that bonus and leave with wages had been reduced. W.W.4 says that he was getting Rs. 30.00 per week prior to the Wage Board, that after Wage Board he is paid monthly, that is, he is getting Rs. 180.00 per month, that is for working 6 days in a week. W.W.5. says that previously when he was working for 7 days in a week he was getting Rs. 28.00 to Rs. 30.00, that after the Wage Board they are paid monthly and that if they work 6 days in a week every month they get Rs. 170.00 in a month of 31 days and they get less if the month contained 30 days. M.W.1 says that the Sanitary workers get about Rs. 32.00 to 34.00 for 7 days work if they work for 7 days and that immediately after the Wage Board the wages that they get for a week of 6 days will be about Rs. 38.00. He also says that the Wage Board had fixed the wage structure on the basis of 26 days of work in a month on the basis that with that wages they can survive for 30 or 31 days in a month, that is, a calendar month. M.W.2 says that before introducing Wage Board recommendations the sanitary mazdoor were getting about Rs. 34.00 per week when they worked for 7 days and Scavengers were getting about Rs. 38.00 per week for 7 days but now the sanitary mazdoors are getting Rs. 51 or 52.00 for a week of 6 days and the Scavengers are getting about Rs. 55.00 or 56.00 per week for work on 6 days.

21. So from the evidence of these witnesses it is seen that even though the petitioners are working for 6 days in a week instead of 7 days in a week they are getting more than what they were getting when they worked for 7 days in a week. Now the wages are paid to the petitioners only as per the recommendations of the Wage Board. Page 1, in Wage Board recommendations Volume I shows that one of the terms of the reference was to work out wage structure based on the principles of Fair Wages as set forth in the report of the Committee on Fair Wages. So the Wage Board was required to work out the wage structure based on the principles of Fair Wages. Chapter VII (page 48 of the recommendations of Wage Board Volume I) of the Wage Board Recommendations deal with the minimum wage. After considering all the material placed before the Wage Board in the same Chapter in paragraph 25 the Wage Board observed as follows:—

"Inclusive of the bonus payment at the rate of 10 per cent of basic pay *pro-rata* on attendance, which the board by a majority has recommended in a later chapter of this Report, the lowest paid category I surface worker will become entitled to Rs. 5.50 per day or Rs. 143.00 per month which at first sight may appear to be slightly less than what we have worked out as his minimum requirements on the cost of living index No. 166. By doing so, we will still be retaining the lowest paid coal miner and the new entrant at the minimum wage level which is the lower limit of the fair wage."

So from the paragraph 25 extracted above it is seen that for Category I Surface worker the fair wage was fixed as Rs. 5.50 per day or Rs. 143.00 per month and that this Rs. 143.00 was arrived at on the basis of 26 days of work. So this also shows that the Wage Board had taken into consideration only work for 6 days, the other day being the weekly day of rest. So far daily rated Surface workers the Wage Board had fixed Rs. 5.50 per day or Rs. 143.00 per month as the Fair Wage. Now the evidence of the witnesses already referred to shows that payment is made to the petitioners only as per the recommendations of the Wage Board

and that the wages that they are getting for working 6 days in a week are more than what they were getting prior to the Wage Board for working 7 days in a week. In the usual course the respondent ought to have introduced the weekly day of rest to the petitioners also even prior to the Wage Board recommendations when all other workers of the respondent were given weekly day of rest. If the respondent had introduced the weekly day of rest in the year 1961 itself as originally contemplated then the petitioners would have got wages only for 6 days in a week and after Wage Board recommendations also they would be getting wages on the basis of 6 days of work. It is because of certain objections raised by the Union the respondent could not give effect to its proposal of introducing weekly day of rest and that finally it had to introduce the weekly day of rest in October, 1968. So the petitioners now cannot take advantage of this fact and contend that if they work for 7 days in a week then they would get extra wages if the wages fixed per day by the Wage Board is taken into consideration. As already stated, if this weekly day of rest was introduced even in the year 1961, itself then they would have got wages only for 6 days in a week and even after the implementation of the Wage Board recommendations they would be entitled for wages only for 6 days in the week. As already stated Wage Board had calculated the fair wages per month only on the basis of 6 days of work in a week and now the petitioners are paid on that basis. So under these circumstances it cannot be said that the petitioners are losing wages for one day in view of the introduction of weekly a day of rest. On a consideration of the evidence in this case I am satisfied that the petitioners are getting more even though they are working only for 6 days in the week and that their present claim that they should be permitted to work for 7 days in the week is not justified and that if they are allowed to work on all the 7 days in the week without any day of rest it would be against the principles of natural justice and against the interest of the workers of the company.

22. Nodoubt some evidence had been let in to show that there is no chance for promotion and so the petitioners should be permitted to work for 7 days in a week and get wages for all the 7 days. But it is seen from the evidence of the witnesses already referred to that some promotions were made whenever a particular sanitary worker had requisite qualifications. Even if it is assumed that the promotions are meagre that cannot be a ground for making the petitioners work on all the 7 days in a week, when the other workers of the respondent are given weekly day of rest. Now by giving weekly day of rest to the petitioners, they are placed in the same level as the other workmen so far as the payment of wages is concerned. So the limited scope of promotion available to the petitioners does not mean that the petitioners should be asked to work on all the 7 days in a week. As already stated the wages fixed by the Wage Board are Fair Wages for working 6 days in a week.

23. For all the aforesaid reasons I hold on the dispute that is referred for adjudication that having in view of the recommendations of the Wage Board for Coal Mining Industry and the nature of work that the Sanitary Mazdoors and Scavengers have to perform and other conditions of service such as meagre avenues for promotion available to them the Management of Singareni Collieries Company Limited, Kothagudem are justified in introducing Weekly holiday without wages in respect of Sanitary Mazdoors and Scavengers and so these workers are not entitled to any relief.

Award is passed accordingly.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 2nd day of December, 1972.

P. S. ANANTH, Presiding Officer.

APPENDIX OF EVIDENCE:

Witnesses examined
for Petitioners:

W.W. 1: O. Muni
W.W. 2: G. Odein
W.W. 3: K. Pothuraju
W.W. 4: G. Rajan
W.W. 5: M. Mallalah

Witnesses examined
for Respondent:

M.W. 1: G. V. S. Sastry.
M.W. 2: Dr. B. K. De.

Documents exhibited for Petitioners :

NIL

Documents exhibited for Respondents :

- Ex.M1: Financial position of the Company from 1965 to 1970-71.
- Ex.M2: Balance Sheet of the Singareni Collieries Co. Ltd., for the years 1970-71.
- Ex.M3: Notice of change of Service conditions under Section 9(A) proposed by the Employers, S.C. Co. Ltd. Kothagudem.
- Ex.M4: Letter dt. 25-10-1968 of Section Officer, Ministry of Labour and Employment, New Delhi addressed to the General Secretary, Singareni Collieries Workers Union, Kothagudem and the General Secretary, A.P. Colliery Mazdoor Sangh, Kothagudem, stating that the report of Asstt. Labour Commissioner (C) Vijayawada was received on 15-10-1968 by the Ministry.
- Ex.M5: Letter dt. 25-10-1968 of General Manager, S.C. Co. Ltd., Kothagudem, addressed to the Chief Surgeon and Medical Officer, Kothagudem regarding weekly rest days for daily rated workers in the Medical and Sanitary Depts. at Kothagudem and Yellandu.
- Ex.M6: Letter dated 5/6-4-1961 of General Manager, Singareni Collieries Company Limited, Kothagudem, addressed to the Chief Surgeon and Medical Officer, Kothagudem, regarding weekly rest.
- Ex.M7: Letter dated 28/29-4-1961 of Chief Surgeon and Medical Officer, S.C. Hospital, Kothagudem and ressed to the Senior Deputy General Manager, Singareni Collieries, Co., Ltd., Kothagudem, regarding 6 days musters for sanitary staff instead of the existing 7 musters for the week.
- Ex.M8: Letter dated 25-5-1961 of M. Komariah, General Secretary, Singareni Collieries Workers Union, Kothagudem, addressed to the General Manager, S.C. Co. Ltd., Kothagudem, regarding the implementation of certain provisions of Mines Act in respect of Scavengers and Sanitary Staff.
- Ex.M9: Letter Dt. 24-8-1961 of Chief Personnel Officer, S.C. Co. Ltd., addressed to the General Secretary, Singareni Collieries Workers Union, Kothagudem, regarding weekly day rest to Sanitary staff.
- Ex.M10: Letter dt. 26-6-1961 of M. Komariah, General Secretary, Singareni Collieries Workers Union, Kothagudem, addressed to the Secretary, Government of India, Ministry of Labour & Employment, New Delhi regarding exemption from the operation Section 28 of the Mines Act in respect of weekly days of rest to workers employed in sanitary and Health departments.
- Ex.M11: Letter dt. 11-8-1961 of Under Secretary, to the Government of India, Ministry of Labour & Employment, New Delhi addressed to Sri M. Komariah, General Secretary, Singareni Collieries Workers Union, Kothagudem, regarding exemption from Section 28 of the Mines Act of workers employed in Sanitary and Health Departments.

INDUSTRIAL TRIBUNAL.

New Delhi, the 4th January, 1973

S.O. 136.—In pursuance of the section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Girimint Colliery of Messrs. Bengal Coal Company Limited, Post Office Charanpur, District Burdwan and their workmen, which was received by the Central Government on the 29th December, 1972.

[No. L-19012/108/71-LRII]
KARNAIL SINGH, Under Secy.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA
Reference No. 1 of 1972

Parties :

Employers in relation to the management of Girimint Colliery of Messrs. Bengal Coal Company Limited

AND

Their Workmen

Present :

Sri S. N. Bagchi—Presiding Officer

Appearances :On behalf of
Employers.

Sri B. N. Lala, Personnel Officer

On behalf of
WorkmenSri Benarashi Singh Azad, General Secretary,
Khan Shramik Congress.

State : West Bengal

Industry : Coal Mines.

AWARD

By Order No. L/1912/108/71-LRII, dated 28th December, 1971, the Government of India, in the Ministry of Labour and Rehabilitation, Department of Labour and Employment, referred the following dispute existing between the employers in relation to the management of Girimint Colliery of Messrs. Bengal Coal Company Limited and their workmen, to this Tribunal, for adjudication, namely:—

"Whether the management of Girimint Colliery of Messrs. Bengal Coal Company Limited, Post Office Charanpur District Burdwan was justified in stopping the following 22 Wagon Loaders from work with effect from the 12th July, 1971, and subsequently transferring them to Banksimulia 7/8, Pits Colliery from the 19th July, 1971? If not, to what relief are these workmen entitled?"

Sl. No.	Name of workman
1.	Shri Dhaneswar Bhuiya
2.	Shri Dasaroath Bhuiya
3.	Shri Ramfal Bhuiya
4.	Shri Bharashi Bhuiya
5.	Shri Bishandeo Bhuiya
6.	Shri Rambharasha Bhuiya
7.	Shri Kartick Bhuiya
8.	Shri Bholu Bhuiya
9.	Shri Rameshwar Bhuiya
10.	Shri Lakhan Bhuiya
11.	Shri Gangua Nunia
12.	Shri Govind Nunia
13.	Shri Bishandeo Nunia
14.	Shri Gango Nunia
15.	Shri Shyamlal Nunia
16.	Shri Ram Ch. Nunia
17.	Shri Nandkishor Nunia
18.	Shri Sona Maji
19.	Shri Etowari Bhuiya
20.	Shri Gonesh Bhuiya
21.	Shri Baleswar Bhuiya
22.	Shri Nagina Nunia.

2. The management filed its statement of case on 25th February, 1972 and raised certain preliminary objections as to the entertainability of the reference and the jurisdiction of this tribunal to adjudicate upon it.

3. The 22 workmen, according to the management, are casual wagon loaders and had no right to claim regular employment every day in the week. They were provided with work only when work could be made available for them. So

the allegation that they were stopped from doing work from 12th July, 1971 is not true. Towards the end of May, 1971 the 22 casual wagon loaders were transferred from the Company's Banksimulia 7 & 8 Pits colliery to the Company's Girimint colliery as some extra work of wagon loading was temporarily available at that colliery. Contract system in the colliery was abolished on and from 10th February, 1971. The 22nd workmen were employed by the management of the said colliery i.e., Banksimulia 7 & 8 Pits colliery as casual workers and were given work of wagon loading as and when work was available. The 22 workmen who were thus casual wagon loaders of the colliery were to help loading extra wagons occasionally supplied to the colliery by the railway authorities in excess of the average and normal number of wagons. Some extra work of wagon loading was temporarily available at Girimint colliery but not at Banksimulia Pits nos. 7 & 8 colliery. The management ordered transfer of 22 casual wagons loaders from Banksimulia 7 & 8 Pits colliery to Girimint colliery to cope with the extra work of wagon loading at that colliery. The transfer order was in terms of the certified standing order of the company. When the extra work was over at the Girimint colliery, the workmen concerned were transferred back to Banksimulia 7 & 8 Pits colliery from where they had come. Neither Banksimulia colliery nor the Girimint colliery stopped the work of the workmen on 12th July, 1971. The workmen nos. 1, to 4, 6 to 8, 10 to 14 and 19 to 22 (16 workmen) had worked in the Girimint Colliery upto 9th July, 1971 and as they had no work at that colliery on and from that date they were transferred to Banksimulia 7 & 8 Pits colliery. The workmen nos. 5, 9 and 13 to 17 (5 workmen) had worked at the Girimint Colliery upto 11th July, 1971. As they had no work at that colliery from 12th July 1971 onwards, they were transferred to Banksimulia 7 & 8 Pits colliery. The workman no. 18 worked in Girimint colliery upto 19th July, 1971. He did not report for work at that colliery on any date thereafter. The workmen concerned did not, however, obey the order of transfer from Girimint colliery to Banksimulia 7 & 8 Pits colliery and absented themselves from Girimint colliery and did not report for work even there. The workmen were chargesheeted. They replied to the chargesheets. There was a domestic proceeding against the workmen concerned. After the conclusion of the enquiry the workmen concerned on the finding of the Enquiry officer were dismissed on 8th October, 1971 by the management. As the workmen had been dismissed from service for their misconduct, the issues referred to for adjudication would be thoroughly infructuous in as much as under the order of reference the tribunal would have no jurisdiction to consider the justification or otherwise of the action of the management. Accordingly, the management in paragraph 6(g) states, "the tribunal therefore will have no jurisdiction to grant any relief to the workmen concerned". The management asserts that it had not stopped the workmen from doing their work from 12th July, 1971 and that the management was justified in transferring them from Girimint colliery to Banksimulia 7 & 8 Pits colliery with effect from 19th July, 1971. The management concludes by asserting that the dispute under reference is not an industrial dispute under Section 2(k) of the Industrial Disputes Act and as such this tribunal has no jurisdiction to entertain and adjudicate upon the reference.

4. The workmen represented by Khan Shramik Congress filed its statement of case on 3rd November, 1972 through its General Secretary. In paragraph 2 of the statement of case it is stated that the management stopped the work of 22 workmen from 12th July, 1971, and in paragraph 3 it is stated that the workmen filed a joint petition before the management on 13th July, 1971 regarding their stoppage of work. The management received the letter but gave no reply. The union approached the management with a letter dated 15th July, 1971, regarding the wrongful stoppage of work of 22 wagon loaders and the management received the same letter but did not reply. In paragraph 5, it is stated that the management directed the 22 wagon loaders to work at Girimint colliery and receive their payment at Banksimulia 7 & 8 Pits colliery with effect from 22nd June, 1971. From 26th June, 1971 the payment of 22 wagon loaders was stopped by the management of Girimint colliery. The union approached the A.L.C. (C), Asansol by a letter dated 5th July, 1971, and requested him to take prompt legal action. The A.L.C. (C), Asansol by a letter dated 7th July, 1971, asked the Superintendent, Personnel of Messrs. Bengal Coal Company Ltd., i.e., the management to send its comment on the union's letter dated 5th July, 1971. After the failure of conciliation as stated in paragraph 11 of the statement of case by union, the workmen received the transfer order from Girimint col-

liery on 17th July, 1971, with effect from 19th July, 1971. In paragraph 12 of the statement of case, the chargesheet, the domestic proceedings, and the transfer orders have been challenged. In paragraph 13 of the statement of case the bonafides, legality, etc., of the domestic proceedings against the 22 wagon loaders and their order of dismissal have been challenged. In paragraph 14 it is stated that the workmen presented their demand before the management of Girimint colliery regarding the illegal dismissal of workmen from 8th October, 1971. In paragraph 15 it is stated that as the reference is regarding the wrongful stoppage of work, the tribunal has no jurisdiction to look into the transfer and dismissal of the workmen.

5. The first question is what is the scope of the reference. The reference consists of two parts, first, stoppage of work of 22 wagon loaders with effect from 12th July, 1971 and second transfer of 22 workmen to Banksimulia 7 & 8 Pits colliery from 19th July, 1971. So, the union's contention that the tribunal has no jurisdiction to look into the transfer order or any matter relating to the transfer order has no legs to stand upon. It cannot now be disputed that after the alleged stoppage of work from 12th July, 1971, all the workmen in Girimint colliery as alleged were transferred to 7 & 8 Pits Banksimulia colliery of the management. It cannot also be disputed that such workmen did not obey the transfer orders and they were chargesheeted and were dismissed from their services with effect from 8th October, 1971 after the conclusion of the domestic proceedings against each of them by the management. So, from 8th October, 1971 the workmen are no longer in the services of the management of the collieries concerned. Sri Azad for the union submitted that the tribunal could decide on the two issues, stoppage of work and order of transfer. But he could not be bold enough to say that the tribunal would be justified in reinstating the workmen who had been dismissed from work with effect from 8th October, 1971 since that is not the subject matter of the reference as made. The workmen were employed by the management in Banksimulia 7 & 8 Pits colliery. They were transferred from that colliery to Girimint colliery of the management. They worked as the reference shows upto 12th July, 1971 at Girimint colliery. The management's case is that as the work in Girimint colliery was not available for the 22 workmen, they were in terms of the standing order transferred to management's Banksimulia 7 & 8 Pits colliery. In the reference this transfer order is said to be of the date 19th July, 1971. As the workmen did not obey the transfer orders, they were chargesheeted leading to domestic enquiry against them and they were dismissed after the conclusion of the domestic enquiry from their service with effect from 8th October, 1971. But the reference does not cover the question of dismissal. On the date of the reference i.e., 28th December, 1971 the workmen ceased to be in the employment of the management having had been dismissed from service with effect from 8th October, 1971. Now, if the two issues—stoppage of work and order of transfer are found to be unjustified then for the period from stoppage of work right into upto the date of transfer and from the date of transfer right upto the date of the award the workmen would be entitled to their wages at Girimint colliery and their order of transfer from Girimint colliery to Banksimulia 7 & 8 Pits colliery would be wiped off; but then there would be the sphinxial riddle before the tribunal. The workmen are no longer in the services of the management on and from 8th October, 1971, but there is no issue within the scope of the reference for adjudication as to whether or not the management was justified in dismissing the workmen concerned with effect from 8th October, 1971. Even if the two issues—the stoppage of work and order of transfer are found in favour of the workmen, they cannot be reinstated to their respective posts at Girimint colliery since the order of reference does not cover the question of dismissal of the 22 workmen from their respective services in the posts they held upto 12th July, 1971 having had been dismissed from each of their posts with effect from 8th October, 1971 which is admitted by the union itself. The transfer order is dated 19th July, 1971. The General Secretary Khan Shramik Congress by his letter dated 17th July, 1971 laid a dispute before the conciliatory authority subject being: "I.D. between the management of the Girimint colliery of Messrs. Bengal Coal Co. Ltd., and their workmen represented by Khan Shramik Congress (BMS) over the alleged wrongful stoppage of work of 22 wagon loaders"—appearing in the failure report dated 12th August, 1971. So, the subject matter before the conciliatory authority was not even the transfer of the workmen. The subject matter was the stoppage of work. In the concilia-

tion proceeding over the stoppage of work sittings held on 5th August, 1971, and 12th August 1971 with the consent of parties. On 12th August, 1971 conciliation proceeding ended in failure. On 13th July, 1971 vide Annexure 'A', the wagon loaders wrote a letter to the Manager of Girimint colliery regarding stoppage of their work. On and from 12th July, 1971 by order of 17th July, 1971 they were transferred from Banksimulia 7 & 8 Pits colliery to Girimint colliery where they were working. Nothing was laid before the management by its letter Annexure 'A' to the statement of case regarding the transfer order. So, the 22 workmen involved in the dispute by their letter dated 13th July, 1971. Annexure A, made the only grievance to the Manager, Girimint colliery regarding their alleged stoppage of work on and from 12th July, 1971. Annexure B to the statement of case, is a letter by the General Secretary, Khan Shramik Congress, dated 15th July, 1971. It also concerns only the stoppage of work of the 22 workmen from 12th July, 1971. This letter was addressed to the Manager of the Girimint colliery and does not whisper about the transfer order.

6. Now, what is the position? The reference concerns two issues—stoppage of work and transfer, one with effect from 12th July, 1971 and the other from 19th July, 1971. The conciliation was on the issue of stoppage of work vide failure report. The workmen's letter, Annexure A and the Union's letter Annexure B to the statement of case, to the Manager of the Girimint colliery relate only to stoppage of work but not to the order of transfer. But the reference based on the failure report covers two issues—stoppage of work and transfer. To crown all, after the transfer order there was the domestic proceedings regarding the dismissal of the workmen from service with effect from 8th October, 1971. It is not covered by the order of reference. Now, the union in its statement of case filed on behalf of the workmen relied on Annexure A and B, the two letters relating to the demand of the workmen. Neither the workmen nor the union espousing the cause of the workmen, laid any demand either before the management or before the conciliatory authority on the issue of transfer order. The conciliation proceedings closed on 12th August, 1971. But the dismissal order was effected on & from 8th October, 1971. No dispute relating to the dismissal order was raised. The dispute that was raised by the workmen and the union before the management and before the conciliatory authority related only to the stoppage of work but not even to the orders of transfer. But the reference, as I have already noted, covers both the issues stoppage of work and orders of transfer. But no demand relating to the transfer order was made either by the workmen or by the union either before the management or before the conciliatory authority. These are the facts appearing on the face of the record and are admitted for and on behalf of the workmen by the union. From these facts the principle laid down in the three decisions, reported in Raju's Case, Coimbatore & Ors. vs Industrial Tribunal, Coimbatore & another, 1951 I L.J., p. 219 (Madras High Court) in the case of Sindhu Resettlement Corporation Ltd. and Industrial Tribunal Gujarat & Ors., 1968 I L.J. p. 834 (Supre Court) and in Pedders Lloyd Corporation Private Ltd. and Lt. Governor, Delhi & Ors., F.L.R. 1970 (20) p. 343 (Delhi High Court), are aptly applicable. As no demand relating to the dispute over the transfer order was laid either before the management or before the conciliatory authority either by the workmen or by the union espousing the cause of the workmen, the dispute relating to the transfer order is not an industrial dispute. The issue over the stoppage of work cannot be severed from the issue relating to the order of transfer. The stoppage as alleged was the outcome of non availability of work at Girimint colliery; but if the issue was only stoppage of work, this tribunal could have adjudicated over that issue. But the alleged stoppage of work was followed by transfer orders as admitted by the workmen represented by the union and the transfer orders were followed by the dismissal orders. As the transfer order and the alleged stoppage of work are inter-related, the tribunal cannot sever one issue from the other i.e., the issue of transfer order from the issue of stoppage of work and adjudicate upon one of the issues i.e., stoppage of work creating a situation inconsistent with the admitted existing state of things.

7. There can be no dispute that the workmen had been dismissed from their services by the management of the colliery with effect from 8th October, 1971. The order of reference is dated 28th December, 1971. During the period from 8th October, 1971 to 28th December 1971, no dispute relating to the dismissal order was raised by the workmen. If the management had to provide work for the workmen in

terms of the standing order at Banksimulia 7 & 8 Pits colliery for the 22 workmen as the management found that such workmen had no sufficient work at Girimint colliery, the management had the right to transfer the workmen concerned from Girimint colliery to Banksimulia 7 & 8 Pits colliery. That is the management's prerogative. The management, in order to provide work to 22 workmen at their Banksimulia 7 & 8 Pits colliery, passed the transfer orders. The transfer orders were not disputed by the workmen before the management & conciliation officer. They were dismissed from service with effect from 8th October, 1971. I cannot, therefore, adjudicate either upon the transfer order or upon the order of dismissal. The management's prerogative under the standing order to transfer workmen from one of its concerns to the other concern could hardly be an "industrial dispute". The issues referred to for adjudication are so inter-related that the severance of the one from the other would deprive the tribunal of its jurisdiction to adjudicate upon the reference itself. The alleged stoppage of work is not an arbitrary something. The management did provide work to the 22 workmen at its another concern, since I have already stated, by issuing the orders of transfer which the workmen did not obey. As soon as the orders of transfer were passed which must be taken to be valid, since it cannot be challenged within the scope of this adjudication, there was no post for any of the 22 workmen at Girimint colliery with effect from the date of the order of transfer, and their posts are now existing at Banksimulia 7 & 8 Pits colliery. If they cared not to join to their respective posts at Banksimulia 7 & 8 Pits colliery and claimed to hold the posts on and from 13th July, 1971 at Girimint colliery in spite of the transfer orders, they must thank their stars. Therefore, the alleged stoppage of work cannot be considered as anything but inextricably connected with the transfer orders but the transfer orders cannot be looked into and adjudicated upon for the reasons I have already stated. So, the dispute referred to for adjudication on the two issues is not an industrial dispute under Section 2(k) of the Industrial Disputes Act and cannot be entertained and adjudicated upon by this tribunal.

Accordingly the reference is rejected.

This is my award.

S. N. BAGCHI, Presiding Officer.
Dated, December 21, 1972.

New Delhi, the 4th January, 1973

S.O. 137.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta, in the industrial disputes between the employers in relation to the management of East Jambad Colliery, Post Office Kalipahari, District Burdwan, and their workmen, which was received by the Central Government on the 28th December, 1972.

[No. L-19012/130/71-LR II.]
KARNAIL SINGH, Under, Secy.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 7 of 1972

Parties :

Employers in relation to the management of East Jambad Colliery.

and

Their Workmen

Present :

Sri S. N. Bagchi

Presiding Officer

Appearances :

On behalf of
Employers

ABSENT

On behalf of
Workmen.

State : West Bengal

Industry : Coal Mine

AWARD

By Order No. I/19012/130/71-LR II, dated 5th February, 1972, the Government of India, in the Ministry of Labour and Rehabilitation, Department of Labour and Employment.

referred the following dispute existing between the employers in relation to the management of East Jambad Colliery and their workmen, to this tribunal, for adjudication, namely :-

"Whether the management of East Jambad Colliery, Post Office Kajoragram, District Burdwan, having regard to their financial capacity, are justified in not paying Variable Dearness Allowance at the rate of Rs. 1.86 with effect from the 1st April, 1971, as per the recommendations of the Wage Board for Coal Industry? If not, what should be the quantum of Variable Dearness Allowance and from what date?"

2. The management filed a petition on 30-10-1972 challenging the right of the union Colliery Mazdoor Sabha, Raniganj, to represent the workmen involved in the dispute and asserted that the Colliery Mazdoor Congress (HMS) representing the workmen had entered into a memorandum of settlement in regard to the arrear payments and other facilities extended to the employees. This petition does not cover the issue under reference and it is irrelevant. The tribunal takes no notice of it.

Neither the union, Colliery Mazdoor Sabha claiming to represent the workmen in this proceeding nor the management appeared in spite of notice of the date of peremptory hearing. So, the tribunal holds that there is no dispute between the parties and render a 'no dispute' award in the matter.

This is my award.

The December 21, 1972 S. N. BAGCHI, Presiding Officer.

New Delhi, the 4th January, 1973

S.O. 138.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Belbaid Colliery, Post Office Topsis, District Burdwan, and their workmen, which was received by the Central Government on the 29th December, 1972.

[No. I-19012/140/71-LR II.]
KARNAIL SINGH, Under, Secy.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA.

Reference No. 17 of 1972

Parties :

Employers in relation to the management of Belbaid Colliery of Messrs. Belbaid Collieries Limited,
and
Their Workmen

Present :

Sri S. N. Bagchi Presiding Officer.

Appearances :

On behalf of Employers.	Sri M. K. Mukherjee, Advocate.
On behalf of Workmen	Shri B. Malkhandy, Bar-at-Law.

State : West Bengal.

Industry : Coal Mine

AWARD

By Order No. I/1912/140/71-LR II dated 6th March, 1972, the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment), referred the following dispute existing between the employers in relation to the management of Belbaid Colliery of Messrs.

Belbaid Collieries Limited and their workmen, to this tribunal, for adjudication, namely :-

"Whether the action of the management of Belbaid Colliery of Messrs. Belbaid Collieries Limited, Post Office Topsis, District Burdwan in stopping from work Sarvashri N. K. Mishra, Surveyor, D. K. Ghosh Moulik, Disting-in-Charge, K. G. Bhanja, C. L./Fitter, Anadiswar Mitra, P/Khalasi, Tara Bouri, Under Ground Trammer and R. P. Singh, L/Mistry with effect from the 1st June, 1970 is justified? If not, to what relief are the workmen entitled?"

2. In this reference the learned Advocate Mr Mukherjee appearing for the management raised a preliminary point as to the entertainability of the reference and jurisdiction of this tribunal to adjudicate upon the reference, firstly because the union espousing the cause of the workmen involved in the dispute under reference is not a registered union, secondly, the dispute that was raised by the union espousing the cause of the workmen posing itself as a registered trade union but being not so, before the conciliatory authority caused the entire conciliation proceedings to be vitiated by the fraud committed upon the Statutes; thirdly, upon the failure report that emanated as a result of the conciliation proceedings that was vitiated by fraud upon the Statutes by the so called Secretary of the so called trade union, the Central Government acquired no jurisdiction to refer the dispute for adjudication and fourthly, the dispute referred to for adjudication upon such a vitiated failure report lost the character of an industrial dispute under Sec. 2(k) of the Industrial Disputes Act.

3. The failure report shows that the Secretary, Colliery Mazdoor Sabha, CITU, Raniganj, raised a dispute by a letter dated 6-9-1971 stating that the management of Belbaid Colliery illegally stopped the work of 16 workmen. Section 15 of the Trade Union Act reads as follows :

"15. Objects on which general funds may be spent — The general funds of a registered Trade Union shall not be spent on any other objects that the following, namely :—

* * * *

(d) the conduct of trade disputes on behalf of the Trade Union or any member thereof;

* * *

So, the right to conduct trade dispute on behalf of the trade union or any member thereof is with the registered trade union. Section 36 of the Industrial Disputes Act reads as follows :

"36. (1) A workman who is a party to dispute shall be entitled to be represented in any proceeding under this Act by —

- an officer of a registered trade union of which he is a member;
- an officer of a federation of trade unions to which the trade union referred to in clause (a) is affiliated;
- where the worker is not a member of any trade union, by an officer of any trade union connected with, or by any other workman employed in, the industry in which the worker is employed and authorised in such manner as may be prescribed."

Clause (a) of Section 36(1) entitles a workman who is a party to the dispute to be represented in any proceeding under the Industrial Disputes Act by an officer or a member of the Executive or any office bearer (vide amendment) of a registered trade union of which he is a member. Any proceeding under this Act includes the stage at which either the workmen or a registered trade union of which the workmen are members authorised in that behalf by the workmen, may lay the charter of demand relating to the dispute before an authority of the management that can accede to or reject the demand. This laying of charter of demand before the authority of the management is the first limb in the making up of a dispute into an industrial dispute under Section 2(k) of the Industrial Disputes Act. The next limb in the stage of the proceeding is when either the workmen or the registered trade union of which workmen are members raise the demand relating to the dispute that was raised

before the management, before the conciliating authority. If the conciliation proceedings end in a failure report it is to be sent to the appropriate Government. The appropriate Government may then acquire jurisdiction to refer the dispute if it is *prima facie* an industrial dispute under Section 2(k) of the Industrial Disputes Act to either of the three authorities, as the case may be, labour court, industrial tribunal or National tribunal, for adjudication. Before either of those authorities, the workmen who are parties to the dispute may represent themselves or may authorise a registered trade union to represent the workmen in the proceedings before either of those adjudicating authorities. This is the third limb that goes to the making up of an industrial dispute. So from the stage of laying of the charter of demand before the authority of the management to the second and the third stages, as I have already pointed out, the proceedings under the Industrial Disputes Act commence and continue till the labour court or the industrial tribunal or the National Tribunal as the case may be, renders its award. The decision in Raju's Cafe's case reported in 1951 I LLJ, P. 219 (Madras High Court), Sindhu Resettlement Corporation's case reported in 1968 I LLJ p. 834 (Supreme Court) and in Fedders Lloyd Corporation's case reported in F.L.R. 1970(2) p. 343 (Delhi High Court) lay down the broadest principles as to how a dispute between the management and its workmen is made up into an industrial dispute under Section 2(k) of the Industrial Disputes Act. The first limb that makes a dispute an industrial dispute is the laying of the charter of demand by the workmen or by a registered trade union of which the workmen are members, duly authorised in that behalf by the workmen, before an authority of the management. The next limb that make up a dispute into an industrial dispute under Section 2(k) of the Industrial Disputes Act is the laying of the same charter of demand before the conciliatory authority, if the authority of the management does not accede to such demand. The conciliation proceedings, if end in a failure, the conciliation officer is to send a failure report to the appropriate government. If the appropriate Government considers that the dispute is *prima facie* an industrial dispute then it may refer the dispute to the appropriate adjudicating authority for adjudication. Then the proceeding before the adjudicating authority begins. There the workmen may themselves file their statement of case or they may authorise any registered Trade union to represent them in the proceeding before the adjudicatory authority. The demand raised before the authority of the management, before the conciliatory authority and that in the statement of case filed before the adjudicatory authority are the three limbs which make up a dispute *prima facie* an industrial dispute if other conditions as laid down in Sec. 2(k) of the Industrial Disputes Act are satisfied. In the proceedings before the adjudicatory authority as well as before the management and the conciliatory authority the workmen themselves can represent them or they may authorise a registered trade union of which they are members to represent them in any such stages of the proceedings. Now, if the workmen or a registered trade union of which the workmen are members authorised in that behalf did not lay the charter of demand before the authority of the management, the first limb in the making up of a dispute into an industrial dispute would be wanting. The workmen or the registered trade union of which they are members authorised in that behalf by the workmen take the dispute straight off to the conciliatory authority without laying the demand relating to the dispute before an authority of the management, and the conciliation proceedings fail ending in a failure report and the appropriate Government upon such report exercise jurisdiction in referring the dispute assuming it to be *prima facie* an industrial dispute for adjudication by any of the adjudicating authorities, the dispute may then remain a dispute, but would not be an industrial dispute under Sec. 2(k) of the Industrial Disputes Act. In the proceedings before the adjudicating authority, if the demand relating to the dispute that was raised before the other two authorities is not identical, then also the third limb in the dispute would be wanting. Before the adjudicatory authority, if the dispute is *prima facie* an industrial dispute, the workmen themselves may represent in the proceeding before such authority or may authorise, as I have already observed, a registered trade union to represent the workmen in the proceedings. So, when the workmen themselves do neither lay the demand in the dispute before the authority of the management nor do authorise a registered trade union of which they are members to lay the demand relating to the dispute before the authority of the management, but still an organisation posing itself as a registered trade union through its so called officer the Secretary takes upon itself the so

called right to represent the workmen before the authority of the management by laying the charter of demand relating to the dispute in which the workmen are involved and lays the charter of demand through such so called officer of such a self-styled organisation, posing it to be a registered trade union, there is then the fraud upon the Statute. Next, if such an organisation that poses itself as a registered trade union but which is not a registered trade union according to law, takes upon itself the responsibility of laying the charter of demand for and on behalf of the workmen relating to the dispute in which the workmen are involved before the conciliatory authority and the conciliatory authority bonafide believes that the officers representing the workmen on behalf of an organisation posing itself to be a registered trade union is a duly authorised person to represent the workmen in the conciliation proceedings, the conciliation proceedings ending in the failure report, would be vitiated by fraud on the Statute committed by such a Secretary of such an organisation. Now, the failure report that is vitiated by the fraud upon the Statute, Committed by so called Secretary of a so called registered trade union which is not, however, a registered trade union creates no jurisdiction in the appropriate government to act upon it referring the dispute for adjudication to an adjudication authority. The Government may otherwise than on a failure report may refer a dispute but when it acts on a failure report, it exercises jurisdiction not otherwise than on failure report but on the failure report itself. The order of reference passed by the appropriate Government acting upon such a failure report would also be tainted with the fraud committed upon the statutes by the Secretary who posed himself as an office bearer of an organisation seemingly to be a registered trade union but not a registered trade union according to law. Accordingly, the order of reference would not, in such a case, create jurisdiction in the adjudicating authority to entertain the dispute which would lose its character as an industrial dispute under Section 2(k) of the Industrial Disputes Act and to adjudicate thereon. Now, Section 36(1) (a), (b) and (c) refer to a trade union which must be a registered trade union under the Trade union law. I have already observed that a registered trade union under Section 15(d) of the Trade Union Act 1926 has a right to conduct trade dispute on behalf of the union or a member of the union and spend money from the fund on that account from its fund. Section 15 of the Trade Unions Act opens with the word "registered trade union". So, a registered trade union has a right to conduct trade dispute on behalf of the trade union or a member thereof. Then comes Sec. 36 of the Industrial Disputes Act, 1947. "In any proceedings under this Act" in Section 36 of the Industrial Disputes Act includes the proceedings from the stage of laying the charter of demand before an authority of the management, and continue at the three stages already mentioned. The workmen have the right to be represented in such proceedings firstly by (a) an officer of a registered trade union or a member of the Executive Committee of the registered trade union, or (b) by an office bearer of the executive committee of such trade union or by either of them of a federation of trade unions, of which the trade union referred to in clause (a) of Section 36(1) is affiliated. A workman who is not a member of any trade union may be represented in any proceedings under the Industrial Disputes Act by an officer of any trade union connected with, or by any other workman employed in the industry in which the workman is employed and authorised in such manner as may be prescribed. Now, in clause (c) the expression any trade union means the trade union which must be a registered trade union. In view of Section 15(d) of the Trade Union Act 1926 only a registered trade union is entitled to conduct trade dispute either on behalf of the union or a member thereof. Now, while reading Section 36 of the Industrial Disputes Act one is to look to rule 36 Form F and Rule 37 of the Central Rules which read as follows:—

"36 Form of authority under Section 36. The authority of a person or persons to represent a workman or group of workmen or an employer in any proceeding under the Act shall be in Form F."

FORM F
(See Rule 36)

Before (here mention the authority concerned)
Reference No. of Workmen
..... versus
..... Employer.

In the matter of I/We hereby authorise
Sri/Sarvashree.....to represent me/us in the
above matter.

Dated this.....day of.....19

Signature of person(s) nominating
the representative(s).
Address.

Accepted.

Signature of representative(s).
Address.

37. "Parties bound by acts of representatives—a party appearing by a representative shall be bound by the acts of that representative."

Now, if at any of the two stages of the proceedings under the Industrial Disputes Act starting from the laying of the charter of demand relating to the dispute before the authority of the management and the conciliatory authority there had not been legal representation of the workmen, the dispute would not, if other conditions are satisfied, be an industrial dispute under Section 2(k) of the Industrial Disputes Act. In the third stage of the proceeding i.e. before the adjudicatory authority illegal representation would not bind the workmen party nor would they be bound if their representation had been illegal in other two stages of the proceedings mentioned above by so called act of their representative. Workmen themselves, as I have already observed, can represent them before the management, before the conciliatory authority and before the adjudicating authority and in the proceedings before all the three authorities mentioned above, the workmen may authorise a registered trade union of which they are members to represent them, but the workmen are then required to authorise a registered trade union for representing them in the three stages of the proceedings mentioned above according to Rule 36 Form F of the Central Rules. If at any of the three stages of the proceedings which are considered to be proceedings under the Industrial Disputes Act as mentioned above, there had not been lawful representation of workmen by a registered trade union, the proceedings at every such stage would be vitiated. Section 36 of the I.D. Act read with Rule 36 of the Central Rules, form F and Rule 37 thereof would show that if there has been lawful representation of the workmen involved in the proceedings at the three stages mentioned above under the Industrial Disputes Act, the Acts done in representing the workmen in the proceedings shall bind the workmen but not otherwise. Take the case of a settlement under Section 18(1) of the Industrial Disputes Act between employer and workmen otherwise than in the course of conciliation proceedings. If the registered trade union was not lawfully authorised by the workmen the settlement negotiated and signed by a Secretary or other officer of the union would contravene Sec. 36(1)(a) rule 36 form F and would not bind the workmen under rule 37 of the Central Rules. Therefore, the moot question that arises for consideration in this reference is whether the Colliery Mazdoor Sabha, P.O. Raniganj, Distt. Burdwan is a registered trade union under Sec. 8 of the Trade Union Act and as such a corporate body under Sec. 13 of that Act. If it is not a validly registered trade union under the trade unions law it is not a corporate body. If it is not a lawfully registered trade union, Sec. 15(d) of the Trade Unions Act would not authorise such trade union to conduct a trade dispute on behalf of the union or any member of that union. Even if the Colliery Mazdoor Sabha, CITU, P.O. Raniganj, Distt. Burdwan is a registered trade union it has to be authorised in the manner prescribed by Rule 36 Form F by the workmen to represent the workmen at the three stages of the proceedings under the Industrial Disputes Act, as I have already mentioned. The authorisation by the workmen to represent them in the proceedings as mentioned above, by a registered trade union must be according to Section 36(1)(a) of the Industrial Disputes Act read with Rule 36 Form F but not otherwise (the principles laid down in Delhi Cloth Mills' case 1972 1 LLJ p. 99 Sc.). Unless the workmen involved in the dispute referred to for adjudication had duly authorised a registered trade union first to lay the charter of demand before the authority of the management, secondly before the conciliatory authority and thirdly before the adjudicatory authority by filing the statement of case relating to the issue referred to for adjudication but an organisation posing itself as a registered trade union which is not so, took upon itself through its so called Secretary the responsibility of representing the workmen involved in the dispute at those three stages mentioned above, there would be fraudulent representation of the workmen in all such stages

by an organisation that is not a registered trade union. Moreover, by laying the charter of demand, a Secretary of an organisation that poses itself to be a registered trade union, which in law is not so, before the management, commits a fraud upon the Statute that means the Trade Union law and the Industrial Disputes Act. If such Secretary raises the dispute before the conciliatory authority, he again commits a fraud upon the Statutes. If such Secretary files a statement of case before the adjudicatory authority on behalf of the workmen, he commits a fraud for the third time upon the Statutes. So, all the stages of the proceedings in such a situation would be vitiated by fraud of a person of an organisation which is not a registered trade union under the trade union law. Assuming that the Colliery Mazdoor Sabha, P.O. Raniganj bearing Registration serial No. 3449 is a registered trade union, in the proceedings before this tribunal the workmen involved in the dispute did not ever authorise any registered trade union by making and subscribing a letter of authority issued in that behalf to any trade union in the manner prescribed by Rule 36 Form F of the Central Rules to represent them in this proceedings, not to speak of to Colliery Mazdoor Sabha, CITU, Raniganj.

4. In the reference proceedings No. 95 of 1971 and 103 of 1971 Colliery Mazdoor Sabha, CITU, P.O. Raniganj, bearing Sl. No. 3449, Dist. Burdwan appeared as if it were a registered trade union. There the management called for the register of trade unions in West Bengal. The relevant Exhibit is Ext. 14 in those two proceedings. The entry bearing Sl. No. 3449 in the said register shows that on 15-7-55 a union of the name of Colliery Mazdoor Sabha, having its registered head office at Jamuria P. O. Jamuria, Distt. Burdwan was registered. That organisation, a registered trade union is still now existing as would appear from the said register. Colliery Mazdoor Sabha, CITU, P.O. Raniganj, as the rubber stamp impression in all the documents filed on behalf of such organisation in this proceeding carries the registration Serial No. 3449 and its office, but not head office is at Raniganj. The Register of trade unions would not show that any trade union of the name Colliery Mazdoor Sabha bearing Sl. No. 3449 having its office, but not head office at Raniganj, was ever registered. So, Colliery Mazdoor Sabha, CITU, P.O. Raniganj, bearing Sl. No. 3441 is a spurious organisation and is not a registered trade union. The failure report would show that Colliery Mazdoor Sabha, CITU, P.O. Raniganj laid the charter of demand on behalf of the workmen before the conciliatory authority by a letter dated 6-9-71. So a spurious organisation posing itself as a registered trade union through its so called Secretary, acting for and on behalf of the workmen involved in the dispute in this proceeding laid the charter of demand before the conciliatory authority. The conciliatory proceedings ended in a failure. There was thus clearly a fraud on the Statutes, committed by the organisation called Colliery Mazdoor Sabha, CITU, Raniganj, through its so called Secretary in the conciliation proceeding before the Conciliation officer. Fraud vitiates everything, judicial proceedings, quasi-judicial proceedings and administrative proceedings. The failure report was thus vitiated by fraud of a person who posed himself as a Secretary of a registered trade union under the name Colliery Mazdoor Sabha, CITU, Raniganj when in fact and in law such an organisation was not a registered trade union under the Trade Union law. So, the failure report that emanated at the conclusion of the conciliatory proceedings is vitiated by fraud and is not a failure report valid in law. Upon that failure report, the Central Government acted and exercised jurisdiction under Section 10 of the Industrial Disputes Act by referring the dispute which thus lost its *prima facie* character at the stage of conciliation proceedings of an industrial dispute under Section 2(k) of the Industrial Disputes Act since the entire conciliatory proceedings had been vitiated by fraud. This Colliery Mazdoor Sabha in paragraph 12 of its statement of case which is not legally relevant, but which I quote to elucidate my point, states amongst other things:

"... Thereafter, the Colliery Mazdoor Sabha placed a demand before the management by a letter dated August 20, 1971 for allowing all the said workmen including the 9 other workmen to resume their duties who were physically removed from the colliery with the help of the armed gangsters at the instance of the management."

In paragraph 13 of the said statement of case it is stated amongst other things :

"...the Colliery Mazdoor Sabha by a letter dated September 6, 1971 raised a dispute with the Labour Commissioner (Central) Raniganj for immediate intervention and for conciliation. The said conciliation failed due to wrongful and malafide attitude of the management of the said colliery. A report of the failure of the conciliation was sent to the Secretary to the Government of India, Ministry of Labour, Employment and Rehabilitation on October 28, 1971."

Now, who is this Colliery Mazdoor Sabha? Who authorised it to lay demand relating to the dispute either before the management or before the conciliatory authority? The Colliery Mazdoor Sabha, CITU, Raniganj, as I have already found, is not a registered trade union. It is nowhere stated in the statement of case filed by this Colliery Mazdoor Sabha, P.O. Raniganj, Dist. Burdwan bearing Sl. No. 3449 that it was authorised by its member workmen involved in this dispute in terms of Rule 36 Form F of the Central Rules to lay the charter of demand relating to the dispute under reference before the authority of the management, before the conciliatory authority and before this tribunal. A registered trade union as Section 15(d) of the Trade Unions Act lays down has a right to conduct a trade dispute on behalf of trade union or any member thereof but not an unregistered trade union. For conducting a trade dispute on behalf of the trade union or its members Section 15 of the Trade Unions Act gives a right to spend fund of the said registered trade union. So, without any lawful authority by the workmen involved in the dispute under reference a spurious trade union of the name of Colliery Mazdoor Sabha, CITU, P.O. Raniganj took upon itself the responsibility of representing the workmen involved in the dispute under reference by laying the charter of demand for and on behalf of the workmen before the management, before the conciliatory authority and before this tribunal and posed itself before such authorities to be a duly registered trade union under the Trade Union law. The management and the conciliatory authority on a bonafide belief acted on such representation which was a fraudulent representation. The Secretary was the person who posed himself as Secretary of Colliery Mazdoor Sabha, P.O. Raniganj, bearing Registration No. 3449 and represented as if it were a registered trade union, although such organisation was not a registered trade union under the trade union law. When the failure report was received from the conciliatory authority by the Central Government, the Central Government was led to believe that the dispute of the workmen concerned was being espoused by a registered trade union of the name Colliery Mazdoor Sabha, CITU, P.O. Raniganj, Dist. Burdwan. On such a *bona fide* belief the Government referred the dispute as if it were *Prima facie* an industrial dispute for adjudication by this Tribunal. The order of reference was sent by the Central Government to the General Secretary, Colliery Mazdoor Sabha, P.O. Raniganj, Dist. Burdwan. So, the entire proceedings at every stage was vitiated by fraud by a person who posed himself as a Secretary of Colliery Mazdoor Sabha, CITU, claiming as it were, that it was a registered trade union which in fact and in law had never been. Therefore, the laying of the charter of demand by the Colliery Mazdoor Sabha, as stated in the statement of case filed by that organisation in this proceedings, before the management was also vitiated by fraud. The raising of the dispute before the conciliatory authority was similarly vitiated by fraud. The resulting failure report that emanated from the conciliatory proceedings, vitiated by fraud, created no valid jurisdiction in the Central Government to act upon it. The dispute that was being sponsored and espoused for and on behalf of the workmen involved in the reference before this tribunal had lost its *prima facie* character of an industrial dispute under Section 2(k) of the Industrial Disputes Act since as I have already mentioned fraud vitiate all the transactions in the proceedings commencing from the laying of the charter of demand before the authority of the management right upto the proceedings before this tribunal committed by a office bearer of spurious organisation, passing by the name of Colliery Mazdoor Sabha, CITU, P.O. Raniganj, bearing Registration No. 3449 which had never been a registered trade union.

5. There is another revealing feature. Colliery Mazdoor Sabha AITUC, G. T. Road, Asansol, was a party to a proceeding in Reference No. 102 of 1971 in which an award

was rendered by this Tribunal. This Colliery Mazdoor Sabha, AITUC, G. T. Road, Asansol, Dist. Burdwan and the Colliery Mazdoor Sabha, CITU, P. O. Raniganj are two spurious organisations and had never been a registered trade union under trade union law in view of the entries in Ext. M 14 in Reference Nos. 95 and 103 of 1971 maintained under the Trade Union law by the Registrar of Trade Unions, West Bengal. That register shows that upto the present day there is only one registered trade union of the name of Colliery Mazdoor Sabha, bearing Sl. No. 3449, having its registered head office at Jamuria, P.O. Jamuria, Dist. Burdwan. This organisation was registered as a registered trade union on 15-7-55 vide entry in Ext. M 14 in Ref. Nos. 95 and 103 of 1971. I have taken judicial notice of this fact. So, I find that several organisations, passing by the name Colliery Mazdoor Sabha with the affiliation suffix AITUC, or CITU, having offices at different places, and necessarily having the so called Executive Committees thereof have been functioning in the Sub-division of Asansol, each as a registered trade union, District Burdwan, and committed and have been committing fraud upon the Statutes, that means the Trade Union Law and the Industrial Disputes Act, and such fraud affected and shall affect many cases. All concerned must take this as a timely warning. Under the trade union law there can be in law only one registered trade union, with one serial number with one particular name and with one registered head office (vide Section 8 of the Trade Unions Act, 1926 and Bengal Regulation 1927 Rule 4 form B). Such a registered Trade Union is a corporate body under Section 13 of that Act but not any other so called trade union. If the name of a registered trade union is to be changed or its registered head office, that must be done by such registered trade union in the manner prescribed by Section 23 and 25 and 12 of Trade Union Act, 1926 respectively read with the relevant rules of the Bengal Regulations 1927 framed under the Trade Unions Act, 1926. B form Register of Bengal Regulation 4 read with relevant rules of the regulations maintained under Section 8 of the Trade Unions Act would show that so soon as an application for registration of a trade union is made, and the union is registered, the trade union so registered bears its own serial number, with its name address of the head office and the date of registration, which are very much relevant. The list of the members applying for registration also appear in form B, I mean the register of Trade Unions. Entries in the register of trade unions are entries in a public document kept under the Statute. The matters entered into such a register are conclusive unless the contrary is proved by any person controverting any of such entries. Ex. M 14 in the proceedings No. 95 and 103 of 1971 in which the Colliery Mazdoor Sabha, CITU, P.O. Raniganj, Dist. Burdwan is a party would show, as I have already found, that such an organisation had never been registered as such under the trade union law. The only registered trade union, as I have already found, is Colliery Mazdoor Sabha, Regd. No. 3449 registered in 1955 having its registered head office at Jamuria P.O. Jamuria, Dist. Burdwan. How can Colliery Mazdoor Sabha, CITU claim to have the registration Sl. No. 3449? It does not claim its head office at Jamuria. It claimed its office at Raniganj but a trade union when it is to be registered must have its Head Office registered and address of such head office will appear in form B, Register of Trade Unions, here Ext. M 14 in the proceedings No. 95 and 103 of 1971. The entries in that register would show, as I have already found, that Colliery Mazdoor Sabha, CITU, is a spurious organisation and is not a registered trade union under the Trade Union law.

6. I have reviewed the entire situation. My conclusion is that the dispute referred to for adjudication by this tribunal is not an industrial dispute under Section 2(k) of the Industrial Disputes Act, and that the Central Government acquired no jurisdiction to refer the dispute under Sec. 10(1)(d) of the Industrial Disputes Act for adjudication by this tribunal for reasons I have elaborately discussed. In the result, the contentions raised by Mr. Mukherjee, the learned Advocate for the management are fully established from the circumstances appearing in the record of this proceeding as well as in proceedings No. 95 and 103 of 1971 to which this Colliery Mazdoor Sabha, CITU, Raniganj, is a party. Accordingly, I reject the reference.

This is my award.

Dated,
December 20, 1972.

S. N. BAGCHI, Presiding Officer.

New Delhi, the 4th January, 1973

S.O. 139.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta in the Industrial dispute between the employers in relation to the management of Rana Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Kalipahari, District Burdwan, and their workmen, which was received by the Central Government on the 28th December, 1972.

[No. I-19012/154/71-LR II]

KARNAIL SINGH, Under Secy.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL

AT CALCUTTA

Reference No. 3 of 1972

Parties :

Employers in relation to the management of Rana Colliery of Messrs Lodna Colliery Company (1920) Limited,

AND

Their workmen.

Present :

Sri S. N. Bagchi—Presiding Officer.

Appearances :

On behalf of Employers—Sri D. Basu Thakur, Advocate.

On behalf of Workmen—Absent

State : West Bengal

Industry : Coal Mines.

AWARD

By Order No. L/19012/154/71-LR II, dated 11th January, 1972, the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment), referred the industrial dispute existing between the employers in relation to the management of Rana Colliery of Messrs Lodna Colliery Company (1920) Limited, and their workmen, to this Tribunal, for adjudication, namely:—

“Keeping in view the nature of duties performed by Shri Narain Chamar, Fitter, of Rana Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Kalipahari, District Burdwan, the demand of the union for placement of the workmen concerned in category VI of the Wage Board Recommendations is justified? If so, to what relief is the workman concerned entitled, and from which date?”

2. In this reference the management took some preliminary points that go to the very root of the jurisdiction of this tribunal to entertain and adjudicate upon the reference. The management stated through its learned Advocate that the schedule to the order of reference would show that the union laid the charter of demand relating to the dispute under reference on behalf of the workman. The order of reference was sent directly by the appropriate government i.e. the Central Government to the General Secretary, Colliery Mazdoor Sabha, Raniganj, District Burdwan. The Colliery Mazdoor Sabha through its General Secretary filed a statement of case purporting to represent the workman in this proceeding on 23-3-72. The Colliery Mazdoor Sabha, P. O. Raniganj, Dist. Burdwan, is not a registered trade union. The Colliery Mazdoor Sabha that laid the demand relating to the dispute under the reference before the conciliatory authority committed fraud upon the Statutes. The conciliation proceeding ended in a failure. Upon the failure report thus vitiated by fraud, but not otherwise, the Central Government exercised jurisdiction in referring the dispute for adjudication by this tribunal. The Colliery Mazdoor Sabha, by itself through its Secretary to be a registered trade union, while laying the charter of demand on behalf of the workman before the conciliatory authority committed fraud upon the Trade Unions Act and upon the Industrial Disputes Act by purporting to represent the workman involved in the dispute under reference in this proceeding. The General Secretary of that organisation similarly committed fraud upon the Statute. There is no letter of authority made and signed by the workman authorising any union, not to speak of Colliery Mazdoor Sabha, P. O. Raniganj, Dist. Burdwan, to represent the workman as required by Section 36(1)(a) of the Industrial Disputes Act read with Rule 36 Form F of the Central Rules

to represent the workman involved in the dispute under reference. Before approaching the conciliatory authority neither the workman nor the so called union Colliery Mazdoor Sabha laid the charter of demand relating to the dispute under reference before any authority of the management. The first question is whether the Colliery Mazdoor Sabha, P. O. Raniganj, District Burdwan is a registered trade union. On the date of hearing of the reference the Colliery Mazdoor Sabha made itself scarce before this tribunal and none appeared on behalf of that organisation to represent the workman involved in this dispute. In the reference cases No. 95 and 103 of 1971 in which the Colliery Mazdoor Sabha, CITU, P. O. Raniganj, Dist. Burdwan is a party representing the workmen, the management in those two proceedings called for the Register of registered trade unions maintained by the Registrar of Trade Unions, West Bengal. That Register, Ext. M 14, in those proceedings would not show that any organisation of the name Colliery Mazdoor Sabha bearing registration Sl. No. 3449 having its registered head office at any place in West Bengal is a registered trade union. That register, Ext. M 14, shows that an organisation by the name Colliery Mazdoor Sabha bearing registration Sl. No. 3449 was registered on 15-7-55 with its registered head office at Jamuria, P. O. Jamuria, Dist. Burdwan and still now that organisation as a registered trade union is in existence. So, Colliery Mazdoor Sabha, P. O. Raniganj, District Burdwan cannot claim to be a registered trade union under the Trade Unions Act and cannot under Section 15(d) of the Act have any right to conduct any trade dispute on behalf of the union or any member thereof. Section 36(1)(a) of the Industrial Disputes Act read with Rule 36 Form F entitles a workman involved in any proceeding under the Industrial Disputes Act to be represented by an officer or a member of the executive or an office bearer of a registered trade union. No letter of authority made and subscribed by the workman involved in the dispute as required under Rule 36 Form F has been filed by any union, not to speak of the Colliery Mazdoor Sabha, P. O. Raniganj, District Burdwan in this proceeding before this tribunal.

3 So, Colliery Mazdoor Sabha, P. O. Raniganj, Dist. Burdwan being not a registered trade union has no right to conduct any trade dispute under Section 15(d) of the Trade Union Act, 1926 nor has a right through any of its office bearers or members of the executive to represent the workman concerned in this dispute before this tribunal and before other two authorities that means the management and the conciliatory authority Management categorically stated that the so called union Colliery Mazdoor Sabha, P. O. Raniganj, did not lay the charter of demand before any authority of the management prior to its approach to the conciliatory authority.

4. So, this case falls within the mischief of the law enunciated in the cases of Raju's Cafe, Coimbatore and Ors., vs Industrial Tribunal Coimbatore and another, reported in 1951 I LLJ, p. 219 (Madras High Court), in the case of Sindhu Resettlement Corporation Ltd. and Industrial Tribunal Gujarat & Ors, reported in 1968 I LLJ p. 834 (Supreme Court) and in the case of Fedders Lloyd Corporation Private Ltd. and Lt. Governor, Delhi & Ors, reported in F.L.R. 1970(20) p. 343. Moreover, the failure report shows that the Secretary of the Colliery Mazdoor Sabha, CITU, Raniganj, laid the charter of demand on behalf of the workman upon which the conciliation proceedings started before the conciliation officer that resulted in a failure. Colliery Mazdoor Sabha, P. O. Raniganj, Dist. Burdwan, as I find, taking judicial notice of the fact appearing in Ext. M 14 in Reference case Nos. 95 and 103 of 1971, being not a registered union, posed itself to be so, before the conciliatory authority and through its self-styled Secretary represented the workman and laid the charter of demand before the conciliatory authority. The conciliatory authority was, therefore, misled by the fraud of the Secretary of such an organisation to initiate the conciliation proceedings which resulted ultimately in the failure report. The fraud thus committed by the Secretary of such an organisation as Colliery Mazdoor Sabha, CITU, upon the Statutory authority such as the conciliation officer vitiated the entire conciliation proceeding. The appropriate Government i.e. the Central Government may without any failure report exercise its jurisdiction in referring a dispute if it is a *prima facie* industrial dispute for adjudication before any of the three adjudicatory authorities as the case may be—Labour Court, Industrial Tribunal or National Tribunal. But if, as in this case, the Central Government exercised jurisdiction upon the failure report that emanated from the conciliation proceedings that

were vitiated by fraud of a person who posed himself as Secretary of a registered trade union when it is not so, the Central Government's order of reference in this proceedings was also tainted by fraud, since fraud vitiates judicial, quasi-judicial and administrative proceedings. Therefore, the order of reference is tainted by fraud committed on Statutes by the so called Secretary of a so called organisation, representing that organisation to be a registered trade union when in fact and in law it is not. Therefore, the order of reference relating to the dispute is not an order valid in law, and the dispute, if any, lost its intrinsic character as an industrial dispute under Sec. 2(k) of the Industrial Disputes Act for the reasons I have already elaborately discussed.

5. Accordingly, this tribunal has acquired no jurisdiction either to entertain the reference or to adjudicate upon it. The reference is therefore rejected.

This is my award.

S. N. BAGCHI, Presiding Officer.

Dated, December 21, 1972.

New Delhi, the 4th January, 1973

S.O. 140.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the management of Ramagundam Division of Singareni Collieries Company Limited, Post Office Godavari Khani (Andhra Pradesh) and their workmen, which was received by the Central Government on the 23rd December, 1972.

[No. L-2112/27/71-LRI.]

KARNAIL SINGH, Under Secy.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

Present:

Shri P. S. Ananth, B. Sc., B.L., Presiding Officer,
Central Government Industrial Tribunal, Ramkote,
Hyderabad.

Industrial Dispute No. 1 of 1972

BETWEEN

Workmen of Ramagundam Division I of Singareni
Collieries Company Limited, (PO) Godavari Khani
(A.P.)

AND

Management of Ramagundam Division I of Singareni
Collieries Company Limited, (PO) Godavari Khani
(A.P.)

Appearances:

Sri A. Raghuramulu, Vice President, Andhra Pradesh
Singareni Collieries Mazdoor Sangh, for Workmen.

Sri M. Shyam Mohan, Personnel Officer, Bellampalli
and Sri P. Papa Rao, Divisional Personnel Officer,
Godavari Khani for Management.

AWARD

The Government of India, Ministry of Labour, Employment and Rehabilitation, by its Order No. L/2112/27/71-LRII dated 29th December, 1971, referred the following dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act) for adjudication to this Tribunal, namely,—

"Is the management of Ramagundam Division-I of Singareni Collieries Company Limited justified in not giving Category V wages with effect from 15th August, 1967, to Sarvashri Shaik Nayamad, B. Venkat Raj, S. Laxminarain, Vishnumurthy and Mydari Rayamallu, Moulders in Workshop as per

recommendations of the Wage Board for Coal Mining Industry and, if not, to what relief are the said workmen entitled and from what date?"

This reference was taken on file as Industrial Dispute No. 1 of 1972 and notices were issued to the parties. For the purpose of convenience the workmen of Ramagundam Division I of Singareni Collieries Company Limited are referred to as the Petitioners and the Management of Ramagundam Division I of Singareni Collieries Company Limited is referred to as the said Respondent in the course of this award. The claimants are Shaik Nayamad, B. Venkat Raj, S. Laxminarain, Vishnumurthy and Mydari Rayamallu, who are said to be Moulders.

2. The petitioners are represented by Andhra Pradesh Singareni Collieries Mazdoor Sangh, Godavari Khani (hereinafter referred to as the said Sangh). The Vice President of the said Sangh filed the claims statement contending as follows:—The Five Workmen referred to are working as Moulders in the workshop of Ramagundam Division No. I. Before the implementation of the Wage Board Recommendations all these workmen were wrongly placed in old Category IV. The Wage Board recommendations were implemented with effect from 15-8-1967. As per the Wage Board recommendations the minimum category recommended for Moulders is Category V. Instead of placing these workmen in Category V the management again placed them wrongly in new category IV in flagrant violation of the recommendations. In the course of conciliation proceedings the management referred to an Award in I.D. No. 66 of 1965 and the alleged minutes of discussions held in the presence of the Sub-Committee of the Wage Board. The said I. D. No. 66 of 1965 has no relevancy to the present dispute. The dispute in I. D. No. 66 of 1965 was whether the three welders referred to there in were entitled for old category V having regard to their nature of duties. The persons in that dispute were Welders. In the instant case the question to be decided arose out of the recommendation of the Central Wage Board. There is no dispute that these workmen are doing the work of Moulders designated as moulders. The minimum category recommended by the Wage Board for moulders is category V. There is no agreement between the workmen and their employer to the effect that the Moulders should be placed in new Category IV from 15-8-1967. It is true that some discussions took place between the Unions and the Management in the presence of the Sub-Committee of the Wage Board. While the discussions were still going on the Sub-Committee left and because of the divergent stands taken by the union and the management no agreement was entered into between the parties. Obviously the Wage Board might have been under the impression that some agreement might have been signed by the parties after the Sub-Committee left. Not even a single office-bearer of any of the Unions has signed the so called minutes of discussion. Anything which is not signed by the parties can not be described as an agreement. The management is extracting the work of preparation of moulds from all these workmen but is unfairly refusing them to pay the appropriate new category V wages. This action is a clear case of unfair labour practice. So the Management may be directed to pay these five workmen new category V wages with effect from 15-8-1967.

3. The respondent filed a counter contending as follows:—The reference is erroneous and repugnant to the terms of reference in I.D. No. 30 of 1967 which is pending and it strikes at the root of the issues involved in that dispute. It is admitted that the workers named are tradesmen in Workshop of Ramagundam divisions. The claim that before the Wage Board implementation, the workers were wrongly placed in old category IV is baseless and they were working without protest under the Mazumdar Award. It is denied that the minimum category for Moulders is category V in respect of Andhra Pradesh. It is amply evident in the Wage Board recommendations for Andhra Pradesh that artisans and craftsmen are recommended to be placed from category IV onwards. The allegations that the workmen are again placed wrongly in new category IV in flagrant violations of the recommendations is misleading. The Wage Board directed that the categorisation applicable to Singareni is subject to the broad agreements referred to in paras 3 to 7 of Chapter IX of their report. While the agreement relates to various categories the following arrangement has been agreed to in respect of artisans and craftsmen, namely, that workers in Categories IV and V should be allotted new Category IV and that workers in categories VI and VII should be allotted

new category V and that the workers in Category VIII and IX should be allotted new category VI. The tradesmen and artisans including Moulders for whom the above said categorisation is applicable were listed in the agreement. It was also agreed that in view of this agreement the workers will have no claim to reopen these issues. The workmen in dispute who were in old category IV were placed in new category IV in conformity with the procedure laid down by the Wage Board recommendations. The schedule to the reference in I.D.No.30 of 1967 clearly indicates that the agreement reached in respect of categories is conclusive. That being so the Unions demanded higher categories to all Tradesmen and Artisans in their claims statement in I.D. No. 30 of 1967. The claims statement in I.D.No.30 of 1967 covers the Moulders who are included in the other artisans and craftsmen. The present claim of higher category is inconsistent with the agreement reached. Any adjudication on this demand will have the effect of foreclosing the issues involved in I.D. No. 30 of 1967 and so reference is bad in law. The job description and job nomenclature of Moulders under the Coal Award and the Wage Board are identical. The Coal Award placed Moulders in old Categories VII and IX which are equivalent to new Categories V and VI and so Category IV artisan is precluded from reopening as laid down in the recommendations. The Award in I.D. No. 66 of 1965 is relevant for the tradesmen under the reference were rightly placed in Category IV which is the base for equating the new Category under the Wage Board. The case of Moulders is analogous in the matter of fitment of craftsmen either moulders or welders. The demand in the present dispute virtually means creation of new posts which cannot be a subject matter of an Industrial Dispute. Further, having raised similar dispute before the Tribunal in respect of this category of Moulders in I.D.No.66 of 1965 which was turned down, the same Union is estopped from raising the same dispute for higher category. These workmen were given training in that trade and kept on the rolls of the Company even though the strength of the Moulders is more than adequate. The workmen had no grievance since 1967 and the first representation was made in June, 1971. That the Management is extracting the work preparation of moulds from all the workmen named is fair as they are discharging the job of "skilled junior" Category IV. The imputation of unfair labour practice is far from truth. That finding a large number of workers surplus to the establishment, two Voluntary Retirement Schemes were introduced in 1968 and 1969 after an agreement with the Unions and about 3,000 workers retired under the schemes with benefits. The question of filling up the vacancies is an administrative function depending upon the needs of the administration and the Government of India in their letter dated 15.4.1971 did not consider the dispute of revision of categories of tradesmen fit for reference to the Industrial Tribunal for adjudication. The claim of these workmen for higher category is not maintainable under law as well on merits.

4. The dispute that is referred to this Tribunal for adjudication is whether the management is justified in not giving Category V wages with effect from 15-8-1967 to Sarvasri Shaikh Niyamat, B. Venkata Raju, S. Laxminarain, Vishnumurthy and Mydari Rayamallu who are Moulders in the workshop?

5. The claimants in this case are said to be working as Moulders in the workshop at Ramagundam Division Nos. I and II. Subsequent to the recommendations of the Central Wage Board for Coal Mining Industry, the claimants were placed in new Category IV. Now the claimants want that they should be paid new Category V wages as per the recommendations of the said Wage Board. The contention of the petitioner is that prior to the implementation of the Wage Board Recommendations the claimants were wrongly placed in old Category IV, that as per the recommendations the minimum category fixed for Moulders is new Category V, that instead of placing them in new Category V the respondent placed them wrongly in new category IV and that the respondent is not justified in placing them under new Category IV. Now it is seen from the evidence that the respondent has placed all those who were in old category IV in new Category IV. The contentions of the respondent are that the claimants have been given correct category and that there was also an agreement entered into before the Sub-Committee of the Wage Board in respect of some categories including Tradesmen and Artisans under which it was agreed that Tradesmen and Artisans who were in old Categories IV and V should be allotted to new Category IV and that

there is also Industrial Dispute No.30 of 1967 which is now pending before this Tribunal where higher categories have been claimed for various designations and that if any findings are given now in the present industrial dispute it would be only pre-judging the issue in I.D.No.30 of 1967. In view of these contentions now it has to be seen whether the present dispute can be disposed of on merits or whether the parties should await for the decision in I.D.No.30 of 1967.

6. Before considering the evidence let in by the parties it would be useful to refer to the dispute raised in I.D.No. 30 of 1967 and the relevant contentions put forward by the parties in that industrial dispute. The reference which is the subject matter of industrial dispute No. 30 of 1967 is as follows :—

"Subject to the views expressed and recommendations made by the Central Wage Board for Coal Mining Industry and the agreement between the Management of Singareni Collieries Company Limited and their Trade Unions referred to, in paragraphs 3 to 6 of Chapter IX of the Wage Board report, what further modifications and changes in the categorisation and wage structure recommended by the said Wage Board for West Bengal and Bihar Coal Fields are necessary to make the said categorisation and wage structure applicable to the workmen of S.C.Co. Ltd., having regard to the special conditions obtaining in the Andhra Pradesh Coal Fields".

In that case the different Unions have filed their claims statements and those Unions are Singareni Collieries Mazdoor Sangh, Kothagudem, Andhra Pradesh Singareni Collieries Mazdoor Sangh, Kothagudem, Mining Sirdars and Overmen's Association, Bellampalli and Kothagudem, Singareni Collieries Workers Union, Kothagudem and Tandur Coal Mines Labour Union. These Unions have filed the claims statements almost on the same lines and so it is not necessary to refer to all the claims statements and reference may be made to the claims statement of one of the Unions. Now it is seen that the present claimants come under the category of Tradesmen. In the claims statement filed by the Singareni Collieries Workers Union as regards the Tradesmen, who were in old Categories IV, V and VI, the contention put forward is that these tradesmen should be given new Category V prescribed by the Wage Board in view of the highly skilled nature of duties and in the summary of the demand, which is shown as an Annexure to the claims statement, the claim is that the Tradesmen in the old categories IV, V and VI should be given new Category V. The contention of the Management, as seen from the counter filed in I.D.No.30 of 1967, is that there were discussions before the Sub-Committee of the Wage Board and that pursuant to those discussions an arrangement was entered into and that as per that arrangement the cases of all workers in old categories IV, V, VI, VII and VIII were also decided and that it was agreed that Workers in categories IV, and V shall be allotted new Category IV and that the workers in old categories VI and VII should be allotted new Category V and so the claims made by the Union are unjustified.

7. W.W.1 (Shaikh Niyamat) is one of the claimants. He says that he joined service as Moulder in 1965, that the Company gave him the authorisation on Ext. W1, that the Company issued similar authorisation to others also, that the work that he and the moulders referred to by him do are casting impellers, electrical cable glands etc., which is the work that is mentioned in the Wage Board for Category V Moulder, that in 1966 they applied to the Management requesting the management to give them VII Category (old Category VII), that in 1967 after the Wage Board they applied to the Management requesting the management to give them Category V (new Category V), that they are doing the same work as the V category worker working in Bellampalli and Kothagudem and so he and the other claimants may be given new Category V. He admits that for all old Category IV persons after the Wage Board new Category IV was given and that after the Wage Board old Category VII persons were given new Category V and that old Category IX persons were given new Category VI. He also admits about the Tradesmen Agreement for Ramagundam Divisions I and II, but according to him he does not know whether in that agreement only three persons were shown in Old Category IV. W.W. 2 (Banvarilal) is also working as Moulder. According to him he was given old

Category VII, that after Wage Board he was given new Category VI, that there is no difference in the work done by him and the work done by W.W. 1 and others, that there is no IV Category for Moulder under the Wage Board recommendations and that even in Colliery Award there is no Category IV for moulders. He says that he was given new Category V after the Wage Board as old Category VII is equated to new Category V, that all persons who were in old Category IV were given new Category IV after the Wage Board. He also says that promotion from Category IV to Category V is given according to the skill of the workers. M.W. 1 (A. Satyanarayana) is working as Officiating Divisional Engineer and previously he worked as Assistant Engineer. He says that the claimants are working under him that they are Tradesmen Moulding, that they were in old Category IV, that after the implementation of the Wage Board recommendations they were given new Category IV, that the work of claimants is of team work along with Categories V and VI workmen, that as per the Tradesmen Agreement the strength required is one in Category VI, two in Category V and three in Category IV and that after 15th August, 1967 there was no occasion to Trade Test for the claimants. No doubt he admits that as per the All India Industrial Tribunal Coal Award there is no old Category IV and from this it is now contended that the claimants ought not to have been placed in old Category IV but W.W. 1 says that it is only as per the agreement entered into between the Management and the Unions they added Category IV and that this Agreement is dated 27th November, 1966. He also says that Ext. M2 is the copy of the Circular of the Management dated 13th October, 1967 and that the copy of the minutes is also attached to it, but actually the copy of the circular is not there but Ext. M2 appears to be the minutes of the discussions held before the Sub-Committee.

8. So from the evidence of the witnesses examined on the side of the petitioners it is seen that the claimants' case is that at the time when the Wage Board Recommendations were implemented they should have been placed in new Category V but not in new Category IV and from the evidence adduced on the side of the Management it is seen that the claimants have been placed correctly in new Category IV, and that they are not entitled to claim higher category V, considering the nature of the work done by them. It is also seen from the evidence of W.W. 1 that even prior to the Wage Board Recommendations he and others were given old Category IV and that even though they requested that they should be given old Category VII, their request was rejected. Now from the evidence it is seen that all those who were in old Category IV were given new Category IV.

9. Now from the nature of the reference made in I.D. No. 30 of 1967 and the nature of the claim put forward in that case and the nature of the contentions of the respondent in that case it is clear that the Tradesmen including the claimants are claiming new Category V and that the present claim also is that they are claiming new Category V. It is also seen from the evidence that the respondent is pleading some agreement which is said to have been entered into before the Sub-Committee as regards certain categories of tradesmen and now this agreement is denied and this very same agreement is also put forward by the respondent in I.D. No. 30 of 1967. So the question whether there was really such an agreement or not is a matter which has to be decided only in I.D. No. 30 of 1967. So, under the circumstances of this case, I feel that if any findings are given in the present case as to whether the claimants are entitled to new Category V and whether the agreement pleaded by the respondent is true or not and whether any such agreement is binding or not, it would be only pre-judging similar issues that arise for a decision in I.D. No. 30 of 1967. I am satisfied that the present dispute is also covered by I.D. No. 30 of 1967 and it would be in the interests of both the parties to get a decision in I.D. No. 30 of 1967 instead of seeking for a decision in the present case. The parties certainly put forward all their present contentions in I.D. No. 30 of 1967 itself. In this view of the matter I hold that so far as the present dispute referred to this Tribunal for adjudication is concerned, this dispute also is covered by I.D. No. 30 of 1967 which is pending and that the parties can put forward all their present contentions in I.D. No. 30 of 1967 itself and that any decision now given in the present case would only be pre-judging the issues in I.D. No. 30 of 1967 and that it would

not be in the interests of parties to give a decision in the present industrial dispute in view of the dispute that is pending in I.D. No. 30 of 1967 and that no finding is called for in the present case.

Award is passed accordingly.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 9th day of November, 1972.

P. S. ANANTH, Presiding Officer.

APPENDIX OF EVIDENCE

<i>Witnesses Examined For Workmen</i>	<i>Witnesses Examined For Employers</i>
W.W. 1 Shaikh Niyamat	M.W.1 A. Satyanarayana
W.W. 2 Banvarilal	

DOCUMENTS EXHIBITED FOR WORKMEN :

- Ext. W. 1 Authorisation of Tradesman (moulding), dt. 29-9-66 issued by the Manager Gdk. No. 2 incline in respect of S. Niyamat.
- Ext. W. 2 True Copy of the authorisation of Tradesman (moulding) dated 8-9-1966 issued by the manager Gdk. No. 2 Incline in respect of Sri B. Venkata Raju.
- Ext. W. 3 True Copy of the authorisation of Tradesman 1965 issued by the Principal, Industrial Training Institute Kothagudem in respect of Sri B. Venkata Raju.
- Ext. W. 4 True Copy of the Provisional Certificate dated 3-3-1965 issued by the Principal, Industrial Training Institute Kothagudem in respect of Sri B. Venkata Raju.
- Ext. W. 5 True Copy of the Provisional Certificate dated 6-12-1965 issued by the Principal, Industrial Training Institute Kothagudem in respect of Sri B. Venkata Raju.
- Ext. W. 6 True Copy of the Transfer Certificate, Zilla Parishad High School Gudibanda, Huzurnagar, Nalgonda Dist. A.P. issued by the Head of the Institution in respect of B. Venkata Raju.
- Ext. W. 7 True Copy of the Circular of Singareni Collieries Company Limited, Kothagudem dated 13-10-1967 about implementation of the recommendations of the Central Wage Board for the Coal Mining Industry.
- Ext. W. 8 True Copy of the Extracts Wage Schedule P. No. 8 of Singareni Collieries Company Limited, dated 27-7-1961.

DOCUMENTS EXHIBITED FOR EMPLOYERS

- Ext. M. 1 Particulars of castings done from 1966-1967 in Godavari Khani Workshop.
- Ext. M. 2 True Copy of the Minutes of Discussion held at Hyderabad on 11th & 12th February, 1966 between the representatives of the Management Singareni Collieries Company Limited and the representative of the Workmen in the presence of the members of Wage Board for Coal Mining Industry regarding categorisation of the daily rated workers of Singareni Collieries Company Limited.
- Ext. M. 3 Copy of the Memorandum of Settlement dated 5-11-1967 between the Management of Singareni Collieries Company Limited and the workmen represented by the A.P. Colliery Mazdoor Sangh in I.D. No. 17 of 1966.
- Ext. M. 4 Copy of the Appointment Order as Industrial Training Institute Apprentice (moulder) issued by the General Manager, Singareni Collieries Company Limited, Kothagudem Collieries in respect of Sri R. Vishnumurthy.
- Ext. M. 5 Copy of the (Appendix-A) categorisation of Tradesmen at Ramagundam Divn. I & II, and (Appendix-B) Categorisation of work shops Gdk. No. I & II Divisions etc., etc.,

INDUSTRIAL TRIBUNAL.

New Delhi, the 5th January, 1973

S.O. 141.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in respect of a complaint under section 33A of the said Act filed by Shri Nikka Ram, T. No. 5-AK, Jr. Shovel Operator, B. S. L. Sundernagar which was received by the Central Government on 3rd January, 1973.

[No. L. 42912/1/73/LRIII]

KARNAIL SINGH, Under Secy.

BEFORE SHRI P.P.R. SAWHNY, B.A. (HONS.) CANTAB
BARAT LAW, PRESIDING OFFICER, CENTRAL IN-
DUSTRIAL TRIBUNAL, CHANDIGARH.

Complaint No. 2/29 of 1972

Under section 33-A of the Industrial Disputes Act, 1947.

Shri Nikka Ram, T. No. 5-AK,
Jr. Shovel Operator,
C/o B. S. L. Workers Union,
Sundernagar

.....Complainant.

Vs.

Executive Engineer, Field Mechanical Division No. 4,
B. S. L. Project, Sundernagar.

.....Respondent.

Appearances :

Shri Mohinder Singh—for the complainant.
Shri Rattan Lal—for the respondent.

AWARD

Shri Nikka Ram has filed this complaint under section 33-A of the Industrial Disputes Act, 1947, maintaining therein that his services had been terminated on 27th June, 1972 *malà fide* without given him any notice as required under clause 16(b) of the certified standing orders applicable, and he had been discriminated against in as much as Sarvshri Gurdial Singh and Bharat Kumar, juniors to him had been retained in service and this action had been taken without securing approval of the Tribunal when reference No. 2/C of 1971 relating to a general dispute, was pending, and that there had been contravention of section 33-A of the Industrial Disputes Act, 1947.

2. In the reply filed to the complaint, the following preliminary objections have taken, and it has been stated that Shri Nikka Ram had been appointed for a specified period i.e. up to 30th June, 1972 and had not been served with notice of termination of his services, that letter No. 1155-56/2R, dated 27th June, 1972 reveals that he had been informed that the specified period for which he had been appointed was going to expire on 30th June, 1972, and after that his services would not be required, and there was no need of issuing any notice under clause 16(b) of the Certified standing orders, in as much as the complainant was neither holding a substantive post nor had he been retrenched on becoming surplus to the needs of the respondent, and there was as such no question of first dispensing with services of his juniors, Sarvshri Gurdial Singh and Bharat Kumar, and that though a reference in respect of a general dispute was pending at that time, it was not necessary to secure approval under section 33 (2) (b) of the Industrial Disputes Act, 1947, as the complainant had neither been discharged nor dismissed from service during the pendency of reference, and the fact of the matter was that on the expiry of the specified period of employment, his services had automatically come to an end.

Preliminary objections

- (1) That the complaint is bad in law in as much as the complainant had neither been discharged nor dismissed from service, that he was appointed for a specified period and on completion of the contractual period, he was informed that his services were no more required, and that being so, the complainant had no cause of action to come to this Tribunal by way of complaint under section 33-A of the Industrial Disputes Act, 1947;

- (2) that the terms/conditions of service applicable to the complainant immediately before the commencement of the proceedings before this Tribunal in respect of Industrial dispute, forming subject matter of Ref. No. 2/C of 1971 had not been altered, and also that the matter in dispute is not in any way connected with the dispute referred for adjudication of the reference.

3. In the rejoinder the complainant has more or less reiterated the stand taken by him in the complaint and has generally controverted the pleas that have been raised in the reply to the complaint and has maintained that he had been appointed as junior shovel operator on probation up to 31st January, 1972, and not for a specified period, that since his work had been found satisfactory as a temporary hand, he was entitled to hold the post so long as it existed, and that the respondent had not adopted principle of last come first go, and juniors to him had been retained the action taken by the respondent being arbitrary and discriminatory, and that there had been contravention of sections 33-A and 33 (2) of the Industrial Disputes Act, 1947.

4. On the pleadings of the parties, the following issues were framed:—

Preliminary Issues:

- (1) Whether the instant complaint is not maintainable as according to the respondent Executive Engineer there had been no alteration or change in the terms and conditions of service of the complainant before the commencement of the proceedings that were held by the Tribunal in respect of the industrial dispute forming subject matter of reference No. 2/C of 1971, and also for the reason that the complaint is not in any way connected with the dispute which was referred adjudication, and forms subject matter of reference No. 2/C of 1971?
- (2) Whether the complaint is bad in law as stated by the respondent Executive Engineer that the complainant was neither discharged nor dismissed from service, and that his services came to an end after the completion of contractual period, and as such there was no cause of action which might attract the provisions of section 33-A of the Industrial Disputes Act, 1947?

On merits : Whether there has been contravention of section 33-A of the Industrial Disputes Act, 1947, in as much as it has been stated that the complainant had been removed from service during the pendency of Ref. No. 2/C of 1971, without obtaining prior approval from the Tribunal?

5. Shri Nikka Ram has examined himself, and also Shri Mohinder Singh, his authorised representative, as witnesses, and the respondent examined Shri K. L. Bhargwa, S.D.O., Operation, Field Mechanical Division No. 4, Sundernagar as a witness.

6. The sole point that requires determination is whether Shri Nikka Ram, who was appointed for a specified period and who claims to have put in satisfactory service during the probationary period, became substantive temporary employee. In this connection the most important document is the appointment order, i.e. letter Ext. R/1. According to Shri K. L. Bhargwa S.D.O., after the expiry of the period of employment that finds mention in the said appointment letter, Shri Nikka Ram had signed at point 'A' in the appointment register, Ext. R/2, and it was then that his services had been extended up to 30th June, 1972, and he was made to note this fact and he had signed at point 'B' to that effect in the aforesaid register, and that after the expiry of the above stated period i.e. on 30th June, 1972, the respondent Executive Engineer passed orders, Ext. R/3.

Shri Nikka Ram has stated that he did not know whether on the expiry of three months of employment, his services had been extended and then again extended for another three months and not extended thereafter.

In this connection it may be stated that appointment letter, Ext. R/1, clearly shows that Shri Nikka Ram had been appointed for a specified period i.e. up to 31st January, 1972, and this letter governs his service conditions.

Apart from this, the signatures at points 'A' & 'B' in R/2 also go to show that the appointment of Shri Nikka Rani was for a specified period. As such, by no stretch of imagination can it be claimed by the complainant that he had been appointed as shovel operator or that after he had put in satisfactory service during the probationary period, he became a substantive temporary employee, and that he was entitled to hold the post so long as it existed.

7. Under these circumstances it is held that, the respondent was justified in not extending the period of his employment beyond 30th June, 1972, and this action has been taken in accordance with terms and conditions of service mentioned in the letter of appointment, Ext. R/1.

That being so, question of the respondent having to secure prior permission of the Tribunal during the pendency of reference No. 2/C of 1971, does not arise, and it is held that the complaint is without substance and it is disposed of accordingly.

P. R. SAWHNEY, Presiding Officer.

30-11-72.

नई दिल्ली, 27 दिसम्बर, 1972

का० आ० 142.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73ब द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० आ० 466, तारीख 20 दिसम्बर, 1971 के अम में, केन्द्रीय सरकार इससे उपाबद्ध अनुसूची के स्तम्भ (4) में विनिर्दिष्ट कारखानों को, उक्त अनुसूची के स्तम्भ (3) में विनिर्दिष्ट आंध्रप्रदेश राज्य के ऐसे क्षेत्रों में, जिससे उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त नहीं हैं, अवस्थिति को ध्यान में रखते हुए उक्त कारखानों को उक्त अधिनियम के अध्याय 5 के अधीन उद्ग्रहणीय नियोजक के विशेष अभिचाय के संदाय से, उक्त अधिसूचना में विनिर्दिष्ट अवधि की समाप्ति की तारीख से एक वर्ष की और अवधि के लिए या तब तक के लिए जब तक कि उक्त अधिनियम के अध्याय 5 के उपबन्ध उक्त क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो एतद्वारा छूट देती है।

अनुसूची

श्रम जिले का नाम सं०	क्षेत्र का नाम	कारखाने का नाम
1. निजामाबाद	किसान नगर	मैसर्स किसान सीमेंट पाव्डर कम्पनी।
2. पश्चिम गोदावरी	निददावोलु	मैसर्स श्री राधाकृष्ण रिहल्लकोलंड सीमेंट पाव्डर और फेरो ब्रिड्ज बर्न्स।

[सं० 38017(84)/72 एच० आई०]

बलजीत सिंह, सचिव

New Delhi, the 27th December, 1972

S. O. 142.— In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 466 dated 20th December, 1971 the Central Government having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Andhra Pradesh in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry

of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier:—

THE SCHEDULE

Sl. No.	Name of District	Name of Area	Name of the factory
1.	Nizamabad	Kisan Nagar	Messrs Kisan Cement Pipe Company.
2.	West Godavari	Niddadavolu	Messrs Sri Radha Krishna Re-inforced Cement Pipes and Ferro Concret Works.

[S. 38017(84)/72-HI]

DALJIT SINGH, Under Sec.

(मुख्य श्रम आयुक्त (केन्द्रीय) का कार्यालय)

नई दिल्ली, 8 सितम्बर, 1972

का० आ० 143.—सीवद्धा श्रम (विनियम और उत्पादन) केन्द्रीय नियम, 1971 के नियम 25 के उपनियम (2) के खण्ड (6) (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य श्रम आयुक्त (केन्द्रीय), नई दिल्ली, एतद्वारा शिशु कक्ष के निर्माण और उसके रख-रखाव का निम्नलिखित मानक विनिर्दिष्ट करते हैं :—

1. स्थिति: शिशु कक्ष प्रत्येक ऐसे स्थापन के जहाँ 20 या अधिक महिलाएँ सामान्यतः सीवद्धा श्रमिक के रूप में नियोजित हैं, 50 मीटर के भीतर स्थित होना चाहिए। जब कि उसमें रखे गए बच्चों की माताओं के आने-जाने की सहूलियत शिशु कक्ष में होनी चाहिए और वह ऐसे स्थापन के ऐसे निकट नहीं होना चाहिए जहाँ से अनिष्टकारी धुँआँ, गंध या गंध बाहर जाती हो या जहाँ पर अत्यधिक शोर वाली प्रक्रिया की जा रही हो।

2. भवन: (1) शिशु-कक्ष भवन ताप-रोधी सामग्रियों का बना होना चाहिए और वर्षा-सह होना चाहिए।

(2) जब कि शहरों में सीमेंट या चूना-प्लास्टर के साथ ईंट की दीवारों का हो सकता है। ग्रामीण क्षेत्र में वह गारे के प्लास्टर के साथ मिट्टी की दीवार का हो सकता है। दोनों ही स्थितियों में फर्श और छत की उंचाई तक की दीवार पर सीमेंट होना चाहिये।

(3) छत से छत की निम्नतम भाग तक कमरों की ऊँचाई 10-फीट से कम नहीं होनी चाहिए।

(4) पर्याप्त प्रकाश प्राप्त करने के लिए और हवा के स्वतन्त्र आवागमन द्वारा संवातन के लिए कमरों में आवश्यक दरवाजे और खिड़कियों की व्यवस्था होनी चाहिए।

(5) यह देखने के लिए कि भवन सुरक्षित है और स्वच्छ हावता में रखा जा रहा है, उसका कालिकतः निरीक्षण होना चाहिए।

(6) जब महिला कर्मचारी कार्य कर रहे हों तो शिशु कक्ष रात और दिन दोनों पूरे समय खुला रखा जाएगा।

3. स्थान: (1) शिशु कक्ष में स्थान प्रति शिशु कम से कम 20 वर्ग फीट के तल-क्षेत्र में मापमान के हिसाब से होना चाहिए।

(2) बड़े बच्चों के लिए उपयुक्त रुकावट के साथ छांववाला खुला खेल का मैदान होना चाहिए।

4. **सुख-सुविधाएं:** (1) शिशु-कक्ष के शिशुओं तथा कर्मचारिवृन्द के लिए ठंडा और स्वास्थ्यप्रद पंख जल उपलब्ध होना चाहिए। 2 वर्ष से कम आयु के शिशुओं को कम से कम ६ पिंट शुद्ध दूध, प्रत्येक शिशु प्रत्येक दिन पिलाया जाना चाहिए। 2 वर्ष से बड़ी आयु के बच्चों को स्वास्थ्यप्रद नास्ता दिया जाना चाहिए।

(2) कार्यकारी माताओं को 2 वर्ष से कम आयु के अपने शिशुओं को मध्याह्न के दौरान खिलाने-पिलाने के लिए सुविधाजनक और उपयुक्त व्यवस्था होनी चाहिए।

(3) शिशु-कक्ष में संलग्न, दूध उबालने के लिए नास्ता तैयार करने आदि के लिए बर्तनों और अन्य सुविधाओं सहित एक रसाईं होगी।

(4) शिशु-कक्ष के शिशुओं तथा साथ ही कर्मचारिवृन्द के शिशु-कक्ष में पहिनने के लिए उपयुक्त बर्दी की व्यवस्था होनी चाहिए।

(5) शिशुओं को नहलाने-धुलाने और उनके कपड़े बदलने के लिए शिशु-कक्ष से मिला उपयुक्त गुशलखाना होना चाहिए। प्रत्येक चार शिशुओं के लिए एक के हिसाब से बाथ-बैसन या अन्य बर्तनों की व्यवस्था होनी चाहिए। प्रत्येक शिशु को प्रत्येक दिन पांच गैलन के हिसाब जल-प्रदाय की व्यवस्था होनी चाहिए। शिशु-कक्ष में साफ तालिये और साबुन भी उपलब्ध होनी चाहिए।

(6) गुशलखाने से मिला हुआ एक शौचालय सिर्फ शिशु-कक्ष के शिशुओं के प्रयोग के लिए होगा। शौचालय में प्रत्येक 15 शिशुओं के लिए एक के हिसाब से सीटें होंगी। माताओं और शिशु-कक्ष के कर्मचारियों के प्रयोग के लिए शिशु-कक्ष से 50 फीट से अनधिक दूरी पर अलग से शौचालय रखे जाने चाहिये।

5. **उपस्कर:** शिशु-कक्ष में प्रत्येक शिशु के लिए एक के हिसाब से निम्नलिखित उपस्कर होने चाहिये :-

- (1) पालन या खाट
- (2) बिस्तर या गद्दे
- (3) चादर
- (4) रबड़ शीट (3 वर्ष से कम के शिशुओं के लिए)
- (5) कम्बल
- (6) गिलाफ सहित तकिये।

प्ररूप 'क'

शिशु-कक्ष में आने वाले बच्चों के चिकित्सीय परीक्षण का परिणाम अभिलिखित करने के लिए प्ररूप

क्रम सं०	बच्चे का नाम	आयु (जन्म-तिथि यदि उपलब्ध हो)	माता का नाम और उपजीविका	पिछले परीक्षण की तारीख को शिशु का वजन	परीक्षण की तारीख को वजन	बीमारी या अप-सामान्यता यदि कोई हो	गुनाया गया उपचार यदि कोई हो	टिप्पण
1	2	3	4	5	6	7	8	9

(अर्हित चिकित्सीय व्यवसायी के हस्ताक्षर)

प्ररूप 'ख'

शिशु-कक्ष में आने वाले शिशुओं की विविधियां अभिलिखित करने के लिए प्ररूप

स्थापन का नाम					मास और वर्ष	
क्रम सं०	दाखिले की तारीख	माता का पूरा नाम और उपजीविका सहित बच्चे का नाम	लिंग	आयु	मास की तारीख (हाजिरी प्रत्येक दिन लगाई जानी चाहिए)	टिप्पण
1	2	3	4	5	6	7

6. **कर्मचारिवृन्द:** प्रत्येक शिशु-कक्ष को धार्मिकविद्या अर्हता प्राप्त या शिशु-कक्ष परिचारक के रूप में प्रशिक्षित स्त्री के भार साधन में होना चाहिए। जब शिशुओं की संख्या 10 से अधिक हो तो शिशु-परिचारक की सहायता के लिए महिला आया, एक आया प्रत्येक (क) एक वर्ष तक के प्रत्येक 5 शिशुओं के लिए, (ख) 3 वर्ष तक के प्रत्येक 10 शिशुओं के लिए, और (ग) 3 वर्ष से ऊपर की आयु के प्रत्येक 15 शिशुओं के लिए, होनी चाहिए।

आया की आयु 30 वर्ष से कम नहीं होनी चाहिए और उसे बच्चों के संभालने का ज्ञान और प्रशिक्षण होना चाहिए।

7. **काम-घंटे:** शिशु-कक्ष के काम-घंटे माताओं के काम-घंटों से मिलते होने चाहिए। यदि महिलाएं दो या अधिक पारियों में नियोजित हों तो उसे दो पारियों में कार्य करना हो सकता है जो एक दिन में 8 घंटे से अधिक की अवधि के लिए बटी हो सकती है। जहां शिशु-कक्ष पारियों में काम करता है तो दो पारियों में भिन्न कर्मचारिवृन्द नियोजित होने चाहिए।

8. **चिकित्सालय देख-रेख:** (1) शिशु-कक्ष में प्राथमिक उपचार उपस्कर ठीक हालत में रखा हुआ होना चाहिए।

(2) दाखिले से पहले प्रत्येक शिशु की चिकित्सीय परीक्षा होनी चाहिए। मास में एक बार शिशुओं की चिकित्सा जांच होनी चाहिए और मास में एक बार उनका वजन अभिलिखित किया जाना चाहिए।

(3) शिशु-कक्ष में रहे प्रत्येक बच्चे के लिए कालिक चिकित्सीय जांच और वजन का चिकित्सीय परीक्षा के अभिलेख में प्रविष्टियां की जानी चाहिए।

9. **अभिलेखों का रखा जाना:** शिशु-कक्ष में निम्नलिखित अभिलेख अद्यतन रखने जाने चाहिए:-

(1) शिशुओं के चिकित्सीय परीक्षण के अभिलेख, प्ररूप 'क' में।

(2) शिशुओं का हाजिरी रजिस्टर, प्ररूप 'ख' में।

10. **शिशु-कक्ष का निरीक्षण:** कोई शिशु-कक्ष, अधिनियम के अधीन, किसी निरीक्षक द्वारा या इस प्रयोजन के लिए केन्द्रीय सरकार द्वारा प्राधिकृत किसी अन्य अधिकारी द्वारा, किसी भी समय निरीक्षित किया जा सकेगा।

[सं. 3087/72-एल. एस.-3.]

टी. टी. तयादे श्रम उप मुख्य आयुक्त (केन्द्रीय)।

(Office of the Chief Labour Commissioner)
(Central)

New Delhi, the 8th September, 1972.

S.O. 143.—In the exercise of the powers conferred by clause (vi) (d) of Sub-Rules (2) of Rule 25 of the Contract Labour (Regulation and Abolition) Central Rules, 1971, the Chief Labour Commissioner (Central), New Delhi hereby specifies the standard of construction and maintenance of the Creches as under:—

1. *Locations:* A creche should be located within 50 metres of every establishment where 20 or more women are ordinarily employed as contract labour. While the Creche should be conveniently accessible to the mothers of the children accommodated therein, it should not be situated in close proximity to an establishment where abnoxious fumes, dust or odours are given off or in which excessively noisy processes are carried on.

2. *Building:* (i) The Creche building should be constructed of heat resisting materials and should be rain-proof.

(ii) While in towns it may be built of brick walls with cement or lime plaster, in rural areas it may be built of mud walls with mud plaster. In either case, the flooring and the walls upto a height of 3 feet should have cement surface.

(iii) The height of the rooms should be not less than 10 ft. from the floor to the lowest part of the roof.

(iv) The rooms should be provided with necessary doors and windows for securing and maintaining adequate light and ventilation by free flow of air.

(v) The building should be periodically inspected in order to see that it is safe and is being maintained under sanitary conditions.

(vi) The creche will be kept open at all times both by day and night, when women employees are working.

3. *Accommodation:* (i) Accommodation in the Creche should be on a scale of at least 20 sq. ft. of floor area per child.

(ii) There should be a shady open air play-ground suitably fenced for older children.

4. *Amenities:* (i) Cool and wholesome drinking water should be available for the children and the staff of the Creche. Children below 2 years of age should be fed with at least 1½ pint of pure milk per child per day. Children above 2 years of age should be given wholesome refreshments.

(ii) Convenient and suitable arrangements should be made for the working mothers to feed their children below 2 years of age during the intervals.

(iii) There shall be a kitchen attached to the Creche with utensils and other facilities for boiling milk and preparing refreshments, etc.

(iv) The children as well as the staff of the Creche should be provided with suitable uniforms for wear at the Creche.

(v) There should be a suitable bathroom adjoining the Creche for the washing of the children and for

changing their clothes. Wash basing or similar vessels should also be provided at the rate of one for every four children. There should be arrangements for supply of water at the rate of 5 gallons per child per day. Adequate supply of clean towels and soap should be available at the Creche.

(vi) Adjoining the bath room there shall be a latrine for the exclusive use of the children in the creche. The number of seats in the latrine shall be at the rate of one for every 15 Children. Separate latrines should be maintained for the use of mothers and Creche staff at a distance of not less than 50 ft. from the Creche.

5. *Equipment:* The Creche should have the following equipment at the rate of one for each child:—

(i) Cradles or Cots.

(ii) Beds or mattresses.

(iii) Cotton sheets.

(iv) Rubber sheets (for children below 3 years).

(v) Blankets.

(vi) Pillow with covers.

6. *Staff:* Every Creche should be in charge of a woman with midwifery qualification or training as Creche attendant. Where the number of children exceeds ten, the Creche attendant should be assisted by female ayahs at the rate of one ayah:

(a) for every 5 children upto one year;

(b) for every 10 children upto three years; and

(c) for every 15 children of over 3 years of age.

The ayahs should not be less than 30 years of age and should have knowledge and training in the handling of children.

7. *Working Hours:* The working hours of the Creche should correspond to the working hours of the mothers. It may have to work in two shifts if the women are employed in two or more shifts, spread over a period exceeding 8 hours a day. Where the Creche works in shifts, different staff should be employed to work in the two shifts.

8. *Medical Attention:* (i) The Creche should have first-aid equipment kept in proper condition.

(ii) Every child should be medically examined before admission. There should be medical check-up of the children once a month and their weight recorded once a month.

(iii) A record of the periodical medical check up and weighment should be entered in the record of medical examination of each child kept at the creche.

9. *Maintenance of records:* The Creche should maintain the following records upto-date:—

(i) Records of Medical Examination of children, in form 'A'.

(ii) Attendance Register of Children, in form 'B'.

10. *Inspection of Creche:* A creche may be inspected at any time by an Inspector under the Act or any other officer authorised by the Central Government for the purpose.

[No. 3(18)/72-L.S. III]

T. T. TAVADE, Dy Chief Labour Commissioner (C)

FORM 'A'

FORM FOR RECORDING THE RESULT OF MEDICAL EXAMINATION OF CHILDREN ATTENDING CRECHES

Date, Month and Year of Examination _____

S. No.	Name of Child	Age (Date of birth, if available)	Mother's name and occupation	Weight of child on the date of last examination	Weight on the date of examination	Disease or abnormality found, if any	Treatment suggested, if any	Remarks
1	2	3	4	5	6	7	8	9

(Signature of the qualified medical practitioner)

FORM 'B'

FORM FOR RECORDING PARTICULARS OF CHILDREN ATTENDING THE CRECHES

Name of Establishment				Month and year		
S.No.	Date of admission	Name of child with mother's full name and occupation	Sex	Age	Date of the month (attendance marked each day)	Remarks
1	2	3	4	5	6	7

